

MESSAGES TO CONGRESS
1861

DRAWER 6 MESSAGES TO CONGRESS 1861-1865

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Late Addresses of Abraham Lincoln, 1861-1865

Messages to Congress 1861

Excerpts from newspapers and other sources

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FROM WASHINGTON.

See in Transcript
THE PRESIDENT'S SPECIAL
MESSAGE.

June 17, 1864
AN ARMY OF HALF A MILLION
MEN.

AN APPROPRIATION OF TWO HUN-
DRED MILLION DOLLARS.

New York, 17th. A despatch to the Tribune says the President is making good progress with his message, and will take the highest ground in favor of prosecuting the war with the utmost rigor and finishing it by winter, if possible, and recommending a call for a half million of men, and an appropriation of two hundred millions.

Andrew Jamieson is appointed Collector of Alexandria.

THE PRESIDENT'S MESSAGE.

Fellow Citizens of the Senate and House of Representatives:

Having been convened on an extraordinary occasion, as authorized by the Constitution, your attention is not called to any ordinary subject of legislation.

At the beginning of the present Presidential term, four months ago, the functions of the General Government were found to be generally suspended within the several States of South Carolina, Alabama, Georgia, Mississippi, Louisiana and Florida, excepting only those of the Post Office Department within these States.

All the forts, arsenals, dock yards, custom-houses, and the like, including the moveable and stationary property in and about them, had been seized, and were held in open hostility to this Government, excepting only Forts Pickens, Taylor and Jefferson, on and near the Florida coast, and Fort Sumter, in Charleston harbor, South Carolina.

The forts thus seized had been put in improved condition. New ones had been built and armed forces had been organized and were organizing, all avowedly with the same hostile purpose.

The forts remaining in the possession of the Federal Government in and near these States, were either besieged or menaced by warlike preparations, and especially Fort Sumpter, was nearly surrounded by well protected hostile batteries with guns equal in quality to the best of its own, and out numbering the latter as perhaps ten to one.

A disproportionate share of the federal muskets and rifles had somehow found their way into these States, and had been seized, to be used against the government. Accumulations of the public revenue lying within them had been seized for the same object.

The navy was scattered in the distant seas, leaving but a very small part of it within the immediate reach of the Government; officers of the Federal army had resigned in great numbers, and of those resigning, a large proportion had taken up arms against the Government simultaneously, and in connection with all these, the purpose to sever the Federal Union was openly avowed.

In accordance with this purpose an ordinance had been adopted in each of these States declaring the States respectively to be separated from the National Union; a formula for instituting a combined Government of these States had been promulgated and this illegal organization in the character of the "Confederate States" was already invoking recognition, aid and intervention, from Foreign Powers.

Finding this condition of things, and believing it to be an imperative duty upon the incoming Executive to prevent if possible the consummation of such an attempt to destroy the Federal Union, a choice of means to that end became indispensable. This choice was made and was declared in the inaugural address.

The policy chosen looked to the exhaustion of all peaceful measures before a resort to stronger ones. It sought only to hold the public places and property not already wrested from the government, and to collect the revenue, relying for the rest on time, discussion and the ballot-box. It promised a continuance of the mails at government expense to the very people who were resisting the government.

And it gave repeated pledges against any disturbance to any of the people, and any of their rights, of all that which a President might constitutionally and justifiably do in such a case. Everything was foreborne, without which it was believed possible to keep the Government on foot.

On the 5th of March, the present incumbent's first full day in office, a letter from Maj. Anderson, Commanding at Fort Sumter, written on

the 28th of February, and received at the War Department on the 4th of March, was by that department placed in his hands.

This letter expressed the professional opinion of the writer, that reinforcements could not be thrown into that fort within the time for his relief rendered necessary by the limited supply of provisions, and with a view of holding possession of the same, with a force of less than 20,000 good and well disciplined men.

This opinion was concurred in by all the officers of his command, and their memoranda on the subject were made enclosures of Maj. Anderson's letter. The whole was immediately laid before Lieut. Gen. Scott, who at once concurred with Maj. Anderson in his opinion.

On reflection, however, he took full time, consulting with other officers, both of the Army and Navy, and at the end of four days came reluctantly, but decidedly, to the same conclusion as before.

He also stated at the same time that no such sufficient force was then at the control of the Government, or could be raised and brought to the ground within the time when the provisions in the fort would be exhausted.

In a purely military point of view, this reduced the duty of the Administration in the case to the mere matter of getting the garrison safely out of the fort. It was believed, however, that to so abandon that position, under the circumstances, would be utterly ruinous.

That the necessity under which it was to be done would not be fully understood; that by many it would be construed as a part of the voluntary policy; that at home it would discourage the friends of the Union, embolden its adversaries and go far to insure to the latter a recognition abroad; that in fact it would be our national destruction consigned.

This could not be allowed. Starvation was not yet upon the garrison, and ere it would be reached, Fort Pickens might be reinforced. This last would be a clear indication of policy and would better enable the country to accept the evacuation of Fort Sumter as a military necessity. An order was at once directed to be sent for the landing of the troops from the steamship Brooklyn, into Fort Pickens, this order could not go by land, but must take the longer and slower route by sea.

The first return news from the order was received just one week before the fall of Sumpter. The news itself was that the officer commanding the Sabine, to which vessel the troops had been transferred from the U. S. steamer Brooklyn, acting upon the quasi armistice of the late Administration, and the existence of which the present Administration, up to the time the order was dispatched, had only learned by too vague and uncertain rumors to fix attention, had refused to land the troops.

To now reinforce Fort Pickens before a crisis would be reached at Fort Sumpter, was impossible, rendered so by the near exhaustion of provisions in the latter named Fort.

In precaution against such a conjunction, government had, a few days before, commenced preparing an expedition as well adapted as might be to relieve Fort Sumpter, which expedition was intended to be ultimately used or not according to circumstances, the strongest anticipated case for using it was now presented, and it was resolved to send it forward, as had been intended in this contingency. It was also resolved to notify the Governor of South Carolina that he might expect that an attempt would be made to provision the fort, and that if the attempt should not be resisted, there would be no attempt to throw in men, arms or ammunition without further notice, or in case of an attack upon the fort.

This notice was accordingly given, whereupon the fort was attacked and bombarded to its fall, without even awaiting the arrival of the provisioning expedition. It is thus seen that the assault upon and reduction of Fort Sumter was in no sense a matter of self-defence on the part of the assailants. They well knew that the garrison in the fort could by no possibility commit aggression upon them. They knew they were expressly notified that the giving of bread to the few brave and hungry men of the garrison was all which would on that occasion be attempted, unless themselves by resisting to

They knew that this Government desired to keep the garrison in the Fort, not to assail them, but merely to maintain visible possession and thus to preserve the Union from actual and immediate dissolution. Trusting, as hereinbefore stated, to time, discussion and the ballot box for final adjustment. And they assailed and reduced the fort for precisely the reverse object: to drive out the visible authority of the Federal Union, and thus force it to immediate dissolution.

That this was their object the Executive well understood, and having told them in the inaugural address "you can have no conflict without being yourselves the aggressors," he took pains not only to keep this declaration good, but also to keep the case so far from ingenious sophistry that the world should not misunderstand it.

By the affair at Fort Sumpter with its surrounding circumstances, that point was reached when and there, by the assailants of the government began the conflict of arms, without a gun in sight or in expectancy to return their fire, save only the few in the Fort sent to that harbor years before, for their own protection and still ready to give that protection in whatever was lawful.

In this act, discarding all also, they have forced upon the country the distinct issue—immediate dissolution or blood. And this issue embraces more than the fate of these United States. It presents to the whole family of man the question whether a constitutional Republic or Democracy—a government of the people by the same people—can or cannot maintain its territorial integrity against its own domestic foes.

It presents the question, whether discontented individuals, too few in number to control the administration according to the organic law in any case, can always, upon the pretences made in this case or any other pretence, or arbitrarily without any pretence, break up this government and thus practically put an end to free government upon the earth.

It forces us to ask, is there in all republics this inherent and fatal weakness? Must a gov-

ernment of necessity be too strong for the liberties of the people, or too weak to maintain its own existence? So viewing the issue, no choice was left but to call out the war power of the Government, and so to resist the force employed for its destruction, by force for its preservation. The call was made, and the response of the country was most gratifying, surpassing in spirit and unanimity the most sanguine expectation.

Yet none of the States commonly called Slave States, except Delaware, gave a regiment through the regular State organization. A few regiments have been organized within some other of those States by individual enterprise and received into the Government service. Of course the seceded States, so-called, and to which Texas has been joined, about the time of the inauguration, gave no troops to the cause of the Union.

The border States, so called, were not uniform in their action, some of them being almost for the Union, while in others, as in Virginia, North Carolina, Tennessee and Arkansas, the Union sentiment was nearly repressed and silenced. The course taken in Virginia was the most remarkable, perhaps the most important. A Convention, elected by the people of that State, to consider this very question of disrupting the Union, was in session at the Capital of Virginia when Fort Sumter fell.

[The above is all the Message which has been received as our First Edition goes to press. Our night telegraph report will bring the residue in season for our Second Edition.]

CONGRESS.

WASHINGTON, July 4.

The Clerk called the roll, including names from South Carolina, Arkansas and Florida.

Mr. McClernand objected to A. P. Thayer being called as a member from Oregon, sending up a protest.

Mr. Shill passed over.

Mr. Vollandigham gave notice of a question of privilege—objection to Messrs. Marston, Blair and Cartiss claiming seats. They have been sworn in as military officers.

Mr. Blair denied being sworn into military service.

Mr. Richardson objected to the recognition of Daily from Nebraska.

The Clerk announced that 157 members answered to their names.

Election for Speaker being in order, Mr. Confax declined being considered a candidate.

Mr. Hickman nominated F. P. Blair. [Applause in the galleries.]

Mr. McClelland, wished a stop put to the noise in the galleries.

Mr. Stevens, nominated G. A. Grow.

A ballot was then taken resulting in no choice.

F. P. Blair then withdrew his name.

Another ballot resulted—whole number 159. Grow 99, Blair 11, Crittenden 12, rest scattering.

Mr. Grow was then escorted to the chair and made an address. The oath was then administered by Washburn of Ill.

Members were then sworn in, a resolution being previously passed to pass over those objected to, until members were duly qualified.

Mr. Burnett offered a resolution referring the question of right to a seat by Upton, Pendleton, Brown, Carlisle and Whaley of Va., to committee on elections after that committee is appointed.

Mr. Morrell raised the point of order that the House being in execution of an order, could not suspend the rules.

Overruled.

Mr. Stevens raised the point of order that Burnett should first call for certificates, then proceed to the proper order.

Mr. Burnett only interposed objections such as conscience and duty compelled him.

Mr. Upton had confessed that he was ineligible.

Mr. Carlisle, of Pa., said that he did not wish any portion of the State unrepresented by objections to any other portion. He believed no party in any State, either by convention or otherwise, had power to absolve allegiance due this Government, formed for them by their fathers. [Deafening applause.]

Mr. Carlisle characterized the action of Eastern Virginia as gross tyranny. He declared that Western Virginia was determined to uphold the Union, and they desire in the National Capitol that their voice shall be heard on everything pertaining to the organization of the House.

The resolution was finally tabled.

The Virginia delegation was then sworn in, and also other delegations.

Mr. Stevens, of Penn., moved that the name of Mr. Butler be inserted on the roll instead of Mr. Lehman, and called on Mr. Lehman to produce the proper certificate.

Mr. Lehman replied that he came by virtue of a proclamation of the Governor. He read the concluding portion of the proclamation, showing his name was mentioned in connection with other members of that State. He wished the subject to go before the Committee on Elections.

Mr. Vollandigham inquired if the party forging the certificate was not now in the Penitentiary.

Mr. Lehman answered in the affirmative.

Mr. Stevens stated that no certificate of Mr. Lehman's election can be found on the files of Public Notary. The Governor must have made a mistake in not inserting Mr. Butler's instead of Mr. Lehman's name, and offered a resolution directing the Clerk to insert the name of Mr. Butler on the roll and Mr. Lehman be entitled to contest.

Mr. Lehman considered his name rightfully on the roll, and said the course of his colleague would set a precedent disastrous to the country. If, on investigation, it should be found that Mr. Butler was entitled fairly to the seat, no one would acquiesce more readily.

The resolution was tabled—91 to 41.

Mr. McClelland objected to Thayer being sworn in from Oregon, believing that Mr. Shield was elect. He offered a resolution to that effect, which was tabled. Mr. Thayer was then sworn in.

The question on Mr. Daly's right to a seat as a delegate from Nebraska was postponed, and the House proceeded to elect a Clerk.

Mr. Blair nominated Mr. Forney.

Mr. Mallory nominated Mr. Etheridge.

Mr. Fonke nominated Mr. Diebrick.

The ballot resulted as follows:—Etheridge

42; Forney 11, Diebrick 21, Florence 2.

Mr. Etheridge was declared elected.

The rules of the last House were adopted.

A resolution was adopted appointing a joint committee to wait on the President and inform him that Congress was ready to receive communications.

Mr. Train, of Mass., offered a resolution to inform the Senate of the election of a Speaker. [Adopted.]

The House fixed noon as the hour of meeting.

Mr. Vollandigham gave notice of a bill to repeal the tariff act of '61, and revise that of '68.

Mr. Stevens presented a petition of Mr. Butler, contesting the seat of Lehman.

SENATE.—Mr. Hale called up the resolution offered yesterday to proceed to the election of Sergeant-at-Arms.

The Senate proceeded to ballot:—1st ballot, 41 votes—Necessary to a choice, 22; George T. Brown, 29; D. R. McNair, 9; George Brown, 2; R. B. Earle, 1.

Mr. George T. Brown was declared elected and appeared and took the oath.

Mr. Hale offered a resolution that the salary of Mr. McNair be paid till December.

Mr. Salisbury asked the Senator from New Hampshire if McNair was a worthy officer, why he had been removed at all.

Mr. Hale said: If the Senator would tell him why the State of Delaware removed Mr. Comegys and sent him (Salisbury) here, perhaps he would answer.

Mr. Chandler gave notice that he should tomorrow introduce a bill to confiscate the property of all Governors of States, Members of Legislatures, Judges of Courts, and all military officers above the rank of Lieutenant, who shall take up arms against the Government of the United States, or aid and abet treason against the Government.

And that all such individuals be forever disqualified for holding any office of honor or emolument or trust in the Government. Such property to be applied to restore to Union men in the Rebel States any losses they may have suffered.

A message was received from the House stating it had appointed a Committee to wait on the President to inform him that the House was ready to receive any communication.

Messrs. Hale and Browning were appointed a Committee on the part of the Senate.

The Senate took a recess till 1:30 p. m.

NOTE.—The resignation of the Clerk of the Senate, yesterday, was Joseph Nicholson, not Asbury Dickens.

HOUSE.—Mr. Ball, of Ohio, Ex-Congressman was elected Sergeant-at-Arms.

Mr. Goodenow, of New York, was elected Door-Keeper.

Rev. Mr. Stockton was elected Chaplain.

WASHINGTON, July 5.

HOUSE.—On motion of Mr. Lovejoy, the House proceeded to the election of a Sergeant-at-Arms.

Messrs. Mudgett, Edward Ball, F. O. Glossbrenner, Seabrook and Flood were voted for.

Ex-Congressman Ball was elected.

Mr. Crittenden appeared and took the usual oath to support the Constitution.

Mr. Johnson presented a memorial from Mr. Klein, contesting the seat of Mr. Verre, of Pennsylvania, which was referred to the Committee on Elections.

Mr. Edwards offered a resolution to postpone the election of Doorkeeper till the first regular session of Congress. He said Mr. Marston had sustained a severe affliction in the death of his wife. He only arrived here last night, and had no opportunity to consult with his friends. Resolution tabled.

Ira Goodenow, of New York, was elected Doorkeeper.

On motion of Mr. Cox, Rev. Mr. Stockton was declared Chaplain of Congress.

SENATE.—Afternoon Session.—Mr. Hale, from the Joint Committee, reported that the President would communicate forthwith in writing.

THE PRESIDENT'S MESSAGE.

Fellow Citizens of the Senate and House of Representatives: Having been conveyed on an extraordinary occasion, authorized by the Constitution, your attention is not called to any ordinary subject of legislation.

At the beginning of the Presidential term, four months ago, the functions of the Federal government were found to be generally suspended within the several States of South Carolina, Georgia, Alabama, Mississippi, Louisiana and Florida, excepting only those of the Post-office Department. Within these States all the forts, arsenals, dock-yards, custom-houses, and the like, had been seized, and were held in open hostility to this government, excepting only Forts Pickens, Taylor and Jefferson, on or near the Florida coast, and Fort Sumter, in Charleston harbor, South Carolina.

The forts thus seized had been put in improved condition. New ones had been built, and armed forces had been organized and were organizing, all avowedly with the same hostile purpose. The forts remaining in the possession of the Federal government, in and near these States, were either besieged or menaced by warlike preparations, and especially Fort Sumter, which was nearly surrounded by well-projected hostile batteries, with guns equal in quality to the best of its own, and outnumbering the latter as perhaps ten to one. A disproportionate share of the Federal muskets and rifles had somehow found their way into these States, and had been seized to be used against the government.

Accumulations of the public revenue lying within them have been seized for the same object. The navy was scattered in distant seas, leaving but a very small part of it within the immediate reach of the government. Officers of the Federal army and navy had resigned in great numbers, and of those resigning a large proportion had taken up arms against the government.

Simultaneously, and in connection with all this, the purpose to sever the Federal Union was openly avowed. In accordance with this purpose, an ordinance had been adopted in each of these States, declaring the States respectively to be separated from the national Union. A formula for instituting a combined government for these States had been promulgated, and this illegal organization in the character of confederate States was already invoking recognition, aid, and intervention from foreign Powers.

Finding this condition of things, and believing it to be an imperative duty upon the incoming Executive to prevent, if possible, the consummation of such an attempt to destroy the Federal Union, a choice of means to that end became indispensable. This choice was made, and was declared in the inaugural address. The policy chosen looked to the exhaustion of all peaceful measures before a resort to any stronger ones.

It sought only to hold the public places and property not already wrested from the government, and to collect the revenue, relying for the rest on time, discussion and the ballot box. It promised a continuance of the mails, at the government expense, to the very people who were resisting the government, and it gave repeated pledges against any disturbance to any of the people of any of their rights. Of all that which a President might constitutionally and justifiably do in such a case, everything was forborne without which it was believed possible to keep the government on foot.

On the 5th of March, the present incumbent's first full day in office, a letter of Major Anderson, commanding at Fort Sumter, written on the 23th February, and received at the War Department on the 4th of March, was by that Department placed in his hands. This letter expressed the professional opinion of the writer that reinforcements could not be thrown into that fort within the time for his relief rendered necessary by the limited supply of provisions, and with a view of holding possession of the same, with a force of less than twenty thousand good and well disciplined men. This opinion was concurred in by all the officers of his command, and their memoranda on the subject were made enclosures of Major Anderson's letter. The whole was immediately laid before Lieut. Gen. Scott, who at once concurred with Major Anderson in that opinion. On reflection, however, he took further time, consulting with other officers, both of the army and navy, and at the end of four days came reluctantly but decidedly to the same conclusion as before.

He also stated, at the same time, that no such sufficient force was then within the control of the government, or could be raised and brought to the

ground within the time when the provisions in the fort would be exhausted. In a purely military point of view this reduced the duty of the Administration in the case to the mere matter of getting the garrison safely out of the fort.

It was believed, however, that to so abandon that position, under the circumstances, would be utterly ruinous; that the necessity under which it was to be done would not be fully understood; that by many it would be construed as a part of a voluntary policy; that at home it would discourage the friends of the Union, embolden its adversaries, and go far to insure to the latter a recognition abroad; that in fact, it would be our national destruction consummated.

This could not be allowed. Starvation was not yet upon the garrison, and ere it would be reached Fort Pickens might be reinforced. This last would be a clear indication of policy, and would better enable the contrary to accept the evacuation of Fort Sumter as a military necessity. An order was at once directed to be sent for the landing of the troops from the steamship Brooklyn into Fort Pickens. This order could not go by land, but must take the longer and slower route by sea. The first return news from the order was received just one week before the fall of Fort Sumter.

The news itself was that the officer commanding the Sabine, to which vessel the troops had been transferred from the Brooklyn, acting upon some *quasi* armistice of the late Administration, and of the existence of which the present Administration, up to the time the order was dispatched, had only too vague and uncertain rumors to fix attention, had refused to land the troops. To now reinforce Fort Pickens before a crisis would be reached at Fort Sumter was impossible, rendered so by the near exhaustion of provisions in the latter named fort.

In such a conjuncture the government had a few days before commenced preparing an expedition, as well adapted as might be to relieve Fort Sumter, which expedition was intended to be ultimately used or not, according to circumstances. The strongest anticipated case for using it was now presented, and it was resolved to send it forward, as it had been intended in this contingency. It was also resolved to notify the government of the so-called southern confederacy that if the attempt should not be resisted, there would be no effort to throw in men, arms or ammunition, without further notice, or in case of an attack upon the fort. This notice was accordingly given, whereupon the fort was attacked and bombarded to its fall, without even awaiting the arrival of the provisioning expedition.

It is thus seen that the assault upon and the reduction of Fort Sumter was in no sense a matter of self defence on the part of the assailants. They well knew that the garrison in the fort could by no possibility commit aggression upon them. They knew they were expressly notified that the giving of bread to the few brave and hungry men of the garrison was all which could on that occasion be attempted unless themselves, by resisting so much, should provoke more. They knew that this government desired to keep this garrison in the fort, not to assail them, but merely to maintain visible possession, trusting, as hereinbefore stated, to time, discussion and the ballot-box, for final adjustment. And they assailed and reduced the fort for precisely the reverse object, to drive out the visible authority of the Federal Union, and thus force it to immediate dissolution.

That this was their object the Executive well understood; and having said to them in the inaugural address, "You can have no conflict without being yourselves the aggressors," he took pains not only to keep this declaration good, but also to keep the case so free from the power of ingenious sophistry as that the world should not be able to misunderstand it.

By the affair at Fort Sumter, with its surrounding circumstances that point was reached. Then and thereby the assailants of the government began the conflict of arms without a gun in sight or in expectancy to return their fire, save only the few in the fort, sent to that harbor years before, for their own protection, and still ready to give that protection in whatever was lawful.

In this act, discarding all else, they have forced upon the country the distinct issue—immediate dissolution or blood. And this issue embraces more than the fate of these United States. It presents to the whole family of man the question whether a constitutional republic or democracy—a government of the people by the same people—can or cannot maintain its territorial integrity against its own domestic foes. It presents the question whether discontented individuals, too few in numbers to control

the Administration according to the organic law in any case, can always, upon the pretences made in this case, or any other pretence, break up their government, and thus practically put an end to free government upon the earth. It forces us to ask, is there in all republics this inherent and fatal weakness? Must a government of necessity be too strong for the liberties of its own people, or too weak to maintain its own existence?

So viewing the issue, no choice was left but to call out the war power of the government, and so to resist the force employed for its destruction by force for its preservation. The call was made, and the response of the country was most gratifying, surpassing in unanimity and spirit the most sanguine expectations.

Yet none of the States commonly called slave States, except Delaware, gave a regiment through regular State organizations. A few regiments have been organized within some others of those States by individual enterprise, and received into the government service.

Of course the seceded States, so called, and to which Texas had been joined about the time of the inauguration, gave no troops to the cause of the Union. The border States, so called, were not uniform in their action, some of them being almost for the Union, while in others, as Virginia and North Carolina, Tennessee and Arkansas, the Union sentiment was nearly repressed and silenced.

The course taken in Virginia was the most remarkable, perhaps the most important. A convention, elected by the people of that State, to consider this very question of disrupting the Federal Union, was in session at the capital of Virginia when Fort Sumter fell. To this body the people had chosen a large majority of professed Union men. Almost immediately after the fall of Sumter, many members of that majority went over to the original disunion minority, and with them adopted an ordinance for withdrawing the State from the Union. Whether this change was wrought by their great approval of the assault upon Sumter, or the great resentment at the government's resistance to that assault, is not definitely known.

Although they submitted the ordinance for ratification to a vote of the people, to be taken on a day then somewhat more than a month distant, the convention and the Legislature, which was also in session at the same time and place, with leading members of the State, not members of either, immediately commenced acting as if the State were already out of the Union.

They pushed their military preparations vigorously forward all over the State. They seized the United States Armory at Harper's Ferry and the Navy-yard at Gosport, near Norfolk. They received, perhaps invited, into their State, large bodies of troops, with their warlike appointments, from the so-called seceded States. They formally entered into a treaty of temporary alliance and co-operation with the so-called confederate States, and sent members to their Congress at Montgomery, and, finally, they permitted the insurrectionary government to be transferred to their Capital at Richmond.

The people of Virginia have thus allowed this giant insurrection to make its nest within her borders, and thus the government has no choice left but to deal with it where it finds it, and it has the less regret, as the loyal citizens have, in due form, claimed its protection. These loyal citizens this government is bound to recognize and protect, as being Virginians.

In the border States, so called—in fact the middle States—there are those who favor a policy which they call armed neutrality—that is an arming of those States to prevent the Union forces passing one way or the disunion the other, over their soil. This would be disunion completed, figuratively speaking. It would be the building of an impassable wall along the line of separation—and yet not quite an impassable one, for, under the guise of neutrality, it would be in the hands of the disunion men, and freely pass supplies from among them to the insurrectionists, which it could not do as an open enemy.

At a stroke it would take all the trouble off the hands of secession, except only what proceeds from the external blockade. It would do for the disunionists that which of all things they most desire, feed them well and give them disunion without a struggle of their own.

It recognizes no fidelity to the Constitution, no obligation to maintain the Union, and while very many who have favored it are doubtless loyal, it is nevertheless very injurious in effect. Recurring to the action of the government, it may be stated that at first a call was made for 75,000 militia, and rapidly

following this a proclamation was issued for closing the ports of the insurrectionary districts by proceedings in the nature of a blockade. So far, all was believed to be strictly legal.

At this point the insurrectionists announced their purpose to enter upon the practice of privateering. Other calls were made for volunteers to serve three years, unless sooner discharged, and also for large additions to the regular army and navy. These measures, whether strictly legal or not, were ventured upon under what appeared to be a popular demand and a public necessity trusting then as now that Congress would readily ratify them. It is believed that nothing has been done beyond the constitutional competency of Congress.

Soon after the first call for militia it was considered a duty to authorize the commanding General in proper cases, according to his discretion, to suspend the privilege of the writ of habeas corpus; or in other words, to arrest and detain, without resort to the ordinary processes and forms of law, such individuals as he might deem dangerous to the public safety. This authority has purposely been exercised but very sparingly. Nevertheless, the legality and propriety of what has been done under it are questioned, and the attention of the country has been called to the proposition that one who is sworn to take care that the laws be faithfully executed, should not himself violate them. Of course some consideration was given to the questions of power and propriety before this matter was acted on.

The whole of the laws which were required to be faithfully executed, were being resisted and failing of execution in nearly one third of the States. Must they be allowed to finally fail of execution, even had it been perfectly clear that by the use of the means necessary to their execution some single law, made in such extreme tenderness of the citizens' liberty that practically it relieves more of the guilty than of the innocent, should to a very limited extent be violated?

To state the question more directly, are all the laws but one to go unexecuted, and the government itself go to pieces, lest that one be violated? Even in such a case would not the official oath be broken if the government should be overthrown, when it was believed that disregarding the single law would tend to preserve it?

But it was not believed that this question was presented. It was not believed that any law was violated. The provisions of the Constitution that the privilege of the writ of habeas corpus shall not be suspended, unless in cases of rebellion or invasion the public safety may require it, is equivalent to a provision that such privilege may be suspended when in cases of rebellion or invasion the public safety does require it. It was decided that we have a case of rebellion, and that the public safety does require the qualified suspension of the privilege of the writ, which was authorized to be made.

Now it is insisted that Congress and not the Executive is vested with this power.

But the Constitution itself is silent as to which or who is to exercise the power, and as the provision was plainly made for a dangerous emergency, it cannot be believed that the framers of the instrument intended that in every case the danger should run its course until Congress could be called together, the very assembling of which might be prevented, as was intended in this case by the rebellion.

No more extended argument is now offered, as an opinion at some length will probably be presented by the Attorney General. Whether there shall be any legislation upon the subject, and if any, what, is submitted entirely to the better judgment of Congress.

The forbearance of this government had been so extraordinary and so long continued as to lead some foreign nations to shape their action as if they supposed the early destruction of our national Union was probable. While this, on discovery, gave the Executive some concern, he is now happy to say that the sovereignty and rights of the United States are now everywhere practically respected by foreign Powers, and a general sympathy with the country is manifested throughout the world.

The reports of the Secretaries of the Treasury, War and the Navy, will give the information in detail deemed necessary and convenient for your deliberation and action, while the Executive and all the Departments will stand ready to supply omissions, or to communicate new facts considered important for you to know.

It is now recommended that you give the legal means for making this contest a short and decisive one; that you place at the control of the government for the work at least 400,000 men and \$400,000,000. That number of men is about one-tenth of those of proper ages within the regions where apparently all are willing to engage, and the sum is less than the

twenty-third part of the money value owned by the men who seem ready to devote the whole.

A debt of \$600,000,000 now is a less sum per head than was the debt of our own Revolution when we came out of that struggle, and the money value in the country now bears even a greater proportion to what it was then than does the population. Surely each man has as strong a motive now to preserve our liberties as each had then to establish them?

A right result at this time will be worth more to the world than ten times the men and ten times the money. The evidence reaching us from the country leaves no doubt that the material for the work is abundant, and that it needs only the hand of legislation to give it legal sanction, and the hand of the Executive to give it practical shape and efficiency.

One of the greatest perplexities of the government is to avoid receiving troops faster than provided for them. In a word, the people will save their government, if the government itself will do its part only indifferently well. It might seem, at first thought, to be of little difference whether the present movement at the south be called secession or rebellion. The movers, however, well understand the difference. At the beginning they knew they could never raise their treason to any respectable magnitude by any name which implies violation of law. They knew their people possessed as much of moral sense, as much of devotion to law and order, and as much pride in and reverence for the history and government of their common country as any other civilized and patriotic people.

They knew they could make no advancement directly in the teeth of these strong and noble sentiments. Accordingly, they commenced by an insidious debauching of the public mind. They invented an ingenious sophism which, if conceded, was followed by perfectly logical steps through all the incidents to the complete destruction of the Union. The sophism itself is that any State of the Union may, consistently with the national Constitution, and therefore lawfully and peacefully, withdraw from the Union, without the consent of the Union or of any other State. The little disguise, that the supposed right is to be exercised only for a just cause, because they themselves are to be the sole judges of its justice, is too thin to merit any notice.

With rebellion thus sugar-coated, they have been drugging the public mind of their section for more than thirty years, and until at length they have brought many good men to a willingness to take up arms against the government the day after some assemblage of men have enacted the farcical pretence of taking their State out of the Union, who could have been brought to no such thing the day before.

This sophism derives much, perhaps the whole of its currency, from the assumption that there is some omnipotent and sacred supremacy pertaining to a State, to each State of our Federal Union. Our States have neither more nor less power than that reserved to them in the Union by the Constitution, no one of them ever having been a State out of the Union. The original ones passed into the Union even before they cast off their British colonial dependence, and the new ones each came into the Union directly from a condition of dependence, excepting Texas; and even Texas, in its temporary independence, was never designated a State.

The new ones only took the designation of States on coming into the Union; while that name was first adopted for the old ones in and by the Declaration of Independence. Therein the United Colonies were declared to be free and independent States.

But even then the object was plainly not to declare their independence of one another, or of the Union, but directly the contrary, as their mutual pledge and their mutual action before, at the time, and afterwards, abundantly show. The express plighting of faith, by each and all of the original thirteen, in the articles of confederation, two years later, that "the Union shall be perpetual," is most conclusive. Having never been States, either in substance or in name, outside of the Union, whence this magical omnipotence of State rights, asserting a claim of power to lawfully destroy the Union itself? Much is said about the sovereignty of the States, but the word even is not in the national Constitution, nor, as is believed, in any of the State constitutions. What is a sovereignty in the political sense of the term? Would it be far wrong to define it "a political community without a political superior?" Tested by this, no one of our States, except Texas, ever was a sovereignty, and even Texas gave up the character on coming into the Union, by which act she acknowledged the Constitution of the United States, and the laws and

treaties of the United States, made in pursuance of the Constitution, to be for her the supreme law of the land. The States have their status in the Union, and they have no other legal status. If they break from this, they can only do so against law and by revolution. The Union and not themselves separated, procured their independence and their liberty. By conquest or purchase, the Union gave each of them whatever of independence and liberty it has.

The Union is older than any of the States, and, in fact, it created them as States. Originally, some dependent colonies made the Union, and, in turn, the Union threw off their old dependence for them, and made them States such as they are; not one of them ever had a State Constitution independent of the Union.

Of course it is not forgotten that all the new States framed their Constitutions before they entered the Union; nevertheless dependent upon, and preparatory to coming into the Union.

Unquestionably the States have the powers and rights reserved to them in and by the national Constitution; but among these, surely, are not included all conceivable powers, however mischievous or destructive, but at most such only as were known in the world at the time as governmental powers, and certainly a power to destroy the government itself was never known as a governmental or merely administrative power.

This relative matter of national power and State rights as a principle, is no other than the principle of generality and locality.

Whatever concerns the whole should be confided to the whole, to the general government; while whatever concerns only the State should be left exclusively to the State. This is all there is of original principle about it. Whether the national Constitution, in defining boundaries between the two, has applied the principle with exact accuracy, is not to be questioned. We are also bound by that defining without question. What is now combated is the position that secession is consistent with the Constitution, if lawful and peaceful. It is not contended that there is any express law for it, and nothing should ever be implied as law which leads to unjust or absurd consequences.

The nation purchased with money the countries out of which several of these States were formed. Is it just that they shall go off without leave and without refunding? The nation paid very large sums—in the aggregate, I believe, a hundred millions—to relieve Florida of the aboriginal tribes.

Is it just that she shall now go off without consent or without making any return? The nation is now in debt for money applied to the benefit of these so called seceded States in common with the rest. Is it just either that creditors shall go unpaid, or the remaining States pay the whole? Part of the present national debt was contracted to pay the old debts of Texas. Is it just that she shall leave and pay no part of this herself?

Again, if one State may secede, so may another, and when all shall have seceded, none is left to pay the debts. Is this quite just to creditors? Did we notify them of this sage view of ours when we borrowed their money? If we now recognize this doctrine by allowing the seceders to go in peace, it is difficult to see what we can do if others choose to go, or to extort terms upon which they will promise to remain.

The seceders insist that our Constitution admits of secession. They having assumed to make a national constitution of their own, in which, of necessity, they have either discarded or retained the right of secession as they insist it exists in ours, if they have discarded it, they thereby admit that on principle it ought not to be in ours.

If they have retained it, by their own construction of ours, they show that to be consistent they must secede from one another whenever they shall find it the easiest way of settling their debts, or effecting any other selfish or unjust object. The principle itself is one of disintegration, upon which no government can possibly endure.

If all the States save one should assert the power to drive that one out of the Union, it is presumed the whole class of seceder politicians would at once deny the power and denounce the act as the greatest outrage upon State rights. But suppose that precisely the same act, instead of being called driving the one out, should be called the seceding of the others from that one, it would be exactly what the seceders claim to do, unless, indeed, they make the point that the one, because it is a minority, may rightfully do what the others, because they are a majority, may not rightfully do. These politicians are subtle and profound on the rights of minorities; they are not partial to that power which made the Constitution, and speaks from the preamble calling it self

"The People."

It may well be questioned whether there is, to-day, a majority of the legally qualified voters of any State, except, perhaps, South Carolina, in favor of disunion. There is much reason to believe that the Union men are the majority in many if not in every other one of the so-called seceded States.

As the contrary has not been demonstrated in any one of them, it is ventured to affirm this even of Virginia and Tennessee, for the result of an election held in military camps, where the bayonets were all on one side of the question voted upon, can scarcely be considered as a demonstration of popular sentiment. At such an election all that large class who are not at once for the Union and against coercion, would be coerced to vote against the Union.

It may be affirmed, without extravagance, that the free institutions we enjoy have developed the power and improved the condition of our whole people beyond any example in the world. Of this we now have a striking and impressive illustration. So large an army as the government has now on foot was never before known, without a soldier in it but who had taken his place there of his own free choice.

But more than this. There are many regiments whose members, one and another, possess full practical knowledge of all the arts, sciences, professions, and whatever else, whether useful or elegant, is known in the world; and there is scarcely one from which there could not be selected a President, a Cabinet, a Congress, and perhaps a court, abundantly competent to administer the government itself.

Nor do I say this is not true also in the doings of our late friends, now adversaries, in this contest. But if it is, so much better the reason why the government, which has conferred such benefits on both them and us, should not be broken up. Whoever, in any section, proposes to abandon such a government, would do well to consider in deliberance to what principle it is that he does it; what better he is likely to get in its stead; whether the substitute will give, or be intended to give, so much of good to the people. There are some forebodings on this subject. Our adversaries have adopted some declarations of independence, in which, unlike the good old one penned by Jefferson, they omit the words, "All men are created equal." Why? They have adopted a temporary national constitution, in the preamble of which, unlike our good old one, signed by Washington, they omit "We, the people," and substitute "We, the deputies of the sovereign and independent States." Why? Why this deliberate pressing out of view the rights of men and the authority of the people?

This is essentially a people's contest. On the side of the Union it is a struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men; to lift artificial weights from all shoulders; to clear the paths of laudable pursuit for all; to afford all an untrammelled start, and a fair chance in the race of life.

Yielding to partial and temporary departures from necessity, this is the leading object of the government for whose existence we contend.

I am most happy to believe that the plain people understand and appreciate this. It is worthy of note that while, in this the government's hour of trial, large numbers of those in the army and navy who have been favored with the offices have resigned and proved false to the hand which had pampered them, not one common soldier or common sailor is known to have deserted his flag. Great honor is due to those officers who remained true, despite the example of their treacherous associates.

But the greatest honor, and most important fact of all, is the unanimous firmness of the common soldiers and common sailors. To the last man, so far as known, they have successfully resisted the traitorous efforts of those whose commands but an hour before they obeyed as absolute law. This is the patriotic instinct of plain people. They understand, without an argument, that the destroying of the government which was made by Washington means no good to them.

Our popular government has often been called an experiment. Two points in it our people have already settled—the successful establishing and the successful administering of it.

One still remains. Its successful maintenance against a formidable internal attempt to overthrow it. It is for them to demonstrate to the world that those who can fairly carry an election can also suppress a rebellion; that ballots are the rightful

and peaceful successors of bullets, and that when ballots have fairly and constitutionally decided there can be no successful appeal back to bullets; that there can be no successful appeal except to ballots themselves at succeeding elections. Such will be a great lesson of peace, teaching men that what they cannot take by an election neither can they take by war, teaching all the folly of being the beginners of war.

Let there be some uneasiness in the minds of caudid men as to what is to be the course of the government towards the southern States after the rebellion shall have been suppressed, the Executive deems it proper to say it will be his purpose then, as ever, to be guided by the Constitution and the laws, and that he probably will have no different understanding of the powers and the duties of the Federal government relatively to the rights of the States and people under the Constitution than expressed in the inaugural address.

He desires to preserve the government that it may be administered to all as it was administered by the men who made it. Loyal citizens everywhere have the right to claim this of their government, and the government has no right to withhold or neglect it. It is not perceived that in giving it there is any coercion, any conquest or subjugation in any just sense of those terms.

The Constitution provides, and all the States have accepted the provision, that the United States shall guarantee to every State in this Union a Republican form of government. But if a State may lawfully go out of the Union, having done so, it may also discard the republican form of government; so that, to prevent its going out, it is all indispensable to use every means to the end of maintaining the guaranty. When an end is lawful and obligatory the indispensable means to obtain it are also lawful and obligatory.

It was with the deepest regret that the Executive found the duty of employing the war power in defence of the government, forced upon him. He could but perform this duty or surrender the existence of the government. No compromise by public servants could in this case be a cure. Not that compromises are not often proper, but that no popular government can long survive a fatal precedent, that those who carry an election can only save the government from immediate destruction by giving up the main point upon which the people gave the election. The people themselves, and not their servants, can safely reverse their own deliberate decisions.

As a private citizen the Executive could not have consented that these institutions shall perish; much less could he, in betrayal of so vast and so sacred a trust as these free people had confided to him.

He felt that he had no moral right to shrink, nor even to count the chances of his own life in what might follow. In full view of his great responsibility, he has so far done what he has deemed his duty. You will now, according to your own judgment, perform yours. He sincerely hopes that your views and your actions may so accord with his as to assure all faithful citizens who have been disturbed in their rights, of a certain and speedy restoration to them under the Constitution and the laws.

And having thus chosen our course without guile and with pure purpose, let us renew our trust in God, and go forward without fear and with manly hearts.

ABRAHAM LINCOLN.

July 4, 1861.

LINCOLN LORE

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LINCOLN'S FIRST MESSAGE TO CONGRESS

Seventy-five years ago on July 4, 1861, Abraham Lincoln delivered his first message to Congress. It seems as if some recognition of this event should be made, as it was without question one of the most important sessions of Congress which ever convened. Limited space will allow only a brief outline of the President's message and a few excerpts from the address:

Outline

FIRST MESSAGE TO CONGRESS JULY 4, 1861

Introduction

"Fellow-citizens of the Senate and House of Representatives: Having been convened on an extraordinary occasion, as authorized by the Constitution, your attention is not called to any ordinary subject of legislation.

- a. Special session authorized by Constitution.
- b. Functions of Federal Government suspended in several states.
- c. Government possessions seized.
- d. Officers of Federal Army resign.
- e. Purpose to sever Federal Union avowed.
- f. Combined government of separated states invoked recognition.

Argument

I. Procedure Thus Far

- a. Policy chosen looked to exhaust all peaceful measures.
- b. Military opinion about defending Fort Sumpter.
- c. The fall of Sumpter and the issue of immediate dissolution.
- d. Influence on world civilization.

II. Calling Out the War Power

1. Reaction of belligerent and border states
2. Action of government
 - a. Call made for 75,000 militia
 - b. Proclamation closing ports
 - c. Suspension of the "writ of habeas corpus."
 - d. Constitutional provision
3. Attitude of foreign nations

III. Appeal for Legal Sanctions of Congress

1. Number of men and amount of money required
2. The legal status of a State in the Union

- a. Origin of the states
- b. Rights reserved to them by Constitution
- c. Responsibilities to the Union

IV. Opinion of the Individual

1. Popular sentiment at point of bayonet.
2. Voluntary service in the militia
3. Essentially a people's contest
4. Loyalty of the plain people

V. The Preservation of the Government

1. Internal attempts to overthrow it
2. The course of procedure after peace
3. Constitutional guarantees
4. The duty of employing war power regretted.

Conclusion

"Must a government, of necessity, be too strong for the liberties of its own people, or too weak to maintain its own existence?"

Excerpts

"The attention of the country has been called to the proposition that one who has sworn to 'take care that the laws be faithfully executed' should not himself violate them."

"Surely each man has as strong a motive now to preserve our liberties as each had then to establish them."

"A right result at this time will be worth more to the world than ten times the men and ten times the money."

"In a word, the people will save their government if the government itself will do its part only indifferently well."

"What is 'sovereignty' in the political sense of the term? Would it be far wrong to define it 'a political community without a political superior?'"

"The States have their status in the Union, and they have no other legal status. If they break from this, they can only do so against law and by revolution. The Union, and not themselves separately, procured their independence and their liberty. By conquest or purchase the Union gave each of them whatever of independence or liberty it has. The Union is older than any of the States, and, in fact, it created them as States. Originally some dependent colonies made the Union, and, in turn, the Union threw off their old dependence for them, and made them States, such as they are."

"These politicians are subtle and profound on the rights of minorities.

They are not partial to that power which made the Constitution and speaks from the preamble calling itself 'We, the People'."

"The result of an election held in military camps, where the bayonets are all on one side of the question voted upon, can scarcely be considered as demonstrating popular sentiment."

"It may be affirmed without extravagance that the free institutions we enjoy have developed the powers and improved the condition of our whole people beyond any example in the world."

"Whoever in any section proposes to abandon such a government would do well to consider in deference to what principle it is that he does it—what better he is likely to get in its stead—whether the substitute will give, or be intended to give, so much of good to the people?"

"It is a struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men—to lift artificial weights from all shoulders; to clear the paths of laudable pursuit for all; to afford all an unfettered start, and a fair chance in the race of life. Yielding to partial and temporary departures, from necessity, this is the leading object of the government for whose existence we contend. I am most happy to believe that the plain people understand and appreciate this."

"Our popular government has often been called an experiment. Two points in it our people have already settled—the successful establishing and the successful administering of it. One still remains—its successful maintenance against a formidable internal attempt to overthrow it."

"He desires to preserve the government, that it may be administered for all as it was administered by the men who made it. Loyal citizens everywhere have the right to claim this of their government, and the government has no right to withhold or neglect it."

"No popular government can long survive a marked precedent that those who carry an election can only save the government from immediate destruction by giving up the main point upon which the people gave the election. The people themselves, and not their servants, can safely reverse their own deliberate decisions."

"And having thus chosen our course, without guile and with pure purpose, let us renew our trust in God, and go forward without fear and with manly hearts."

July 4th Message to Congress (July 4, 1861)—Miller Center

millercenter.org

Between the fall of Fort Sumter on April 13, 1861, and July of that same year, President Lincoln took a number of actions in response to secession without Congressional approval. In this special message to Congress, Lincoln asks Congress to validate his actions by authorizing them after the fact. This message also marks Lincoln's first full explanation of the purpose of the war.

Fellow-Citizens of the Senate and House of Representatives:

Having been convened on an extraordinary occasion, as authorized by the Constitution, your attention is not called to any ordinary subject of legislation.

At the beginning of the present Presidential term, four months ago, the functions of the Federal Government were found to be generally suspended within the several States of South Carolina, Georgia, Alabama, Mississippi, Louisiana, and Florida, excepting only those of the Post-Office Department.

Within these States all the forts, arsenals, dockyards, custom-houses, and the like, including the movable and stationary property in and about them, had been seized and were held in open hostility to this Government, excepting only Forts Pickens, Taylor, and Jefferson, on and near the Florida coast, and Fort Sumter, in Charleston Harbor, South Carolina. The forts thus seized had been put in improved condition, new ones had been built, and armed forces had been organized and were organizing, all avowedly with the same hostile purpose.

The forts remaining in the possession of the Federal Government in and near these States were either besieged or menaced by warlike preparations, and especially Fort Sumter was nearly surrounded by well-protected hostile batteries, with guns equal in quality to the best of its own and outnumbering the latter as perhaps ten to one. A disproportionate share of the Federal muskets and rifles had somehow found their way into these States, and had been seized to be used against the Government. Accumulations of the public revenue lying within them had been seized for the same object. The Navy was scattered in distant seas, leaving but a very small part of it within the immediate reach of the Government. Officers of the Federal Army and Navy had resigned in great numbers, and of those resigning a large proportion had taken up arms against the Government. Simultaneously and in connection with all this the purpose to sever the Federal Union was openly avowed. In accordance with this purpose, an ordinance had been adopted in each of these States declaring the States respectively to be separated from the National Union. A formula for instituting a combined government of these States had been promulgated, and this illegal organization, in the character of Confederate States, was already invoking recognition, aid, and intervention from foreign powers.

Finding this condition of things and believing it to be an imperative duty upon the incoming Executive to prevent, if possible, the consummation of such attempt to destroy the Federal Union, a choice of means to that end became indispensable. This choice was made, and was declared in the inaugural address. The policy chosen looked to the exhaustion of all peaceful measures before a resort to any stronger ones. It sought only to hold the public places and property not already wrested from the Government and to collect the revenue, relying for the rest on time, discussion, and the ballot box. It promised a continuance of the mails at Government expense to the very people who were resisting the Government, and it gave repeated pledges against any disturbance to any of the people or

any of their rights. Of all that which a President might constitutionally and justifiably do in such a case, everything was forborne without which it was believed possible to keep the Government on foot.

On the 5th of March, the present incumbent's first full day in office, a letter of Major Anderson, commanding at Fort Sumter, written on the 28th of February and received at the War Department on the 4th of March, was by that Department placed in his hands. This letter expressed the professional opinion of the writer that reinforcements could not be thrown into that fort within the time for his relief rendered necessary by the limited supply of provisions, and with a view of holding possession of the same, with a force of less than 20,000 good and well-disciplined men. This opinion was concurred in by all the officers of his command, and their memoranda on the subject were made inclosures of Major Anderson's letter. The whole was immediately laid before Lieutenant-General Scott, who at once concurred with Major Anderson in opinion. On reflection, however, he took full time, consulting with other officers, both of the Army and the Navy, and at the end of four days came reluctantly, but decidedly, to the same conclusion as before. He also stated at the same time that no such sufficient force was then at the control of the Government or could be raised and brought to the ground within the time when the provisions in the fort would be exhausted. In a purely military point of view this reduced the duty of the Administration in the case to the mere matter of getting the garrison safely out of the fort.

It was believed, however, that to so abandon that position under the circumstances would be utterly ruinous; that the necessity under which it was to be done would not be fully understood; that by many it would be construed as a part of a voluntary policy; that at home it would discourage the friends of the Union, embolden its adversaries, and go far to insure to the latter a recognition abroad; that, in fact, it would be our national destruction consummated. This could not be allowed. Starvation was not yet upon the garrison, and ere it would be reached Fort Pickens might be reenforced. This last would be a clear indication of policy, and would better enable the country to accept the evacuation of Fort Sumter as a military necessity. An order was at once directed to be sent for the landing of the troops from the steamship Brooklyn into Fort Pickens. This order could not go by land but must take the longer and slower route by sea. The first return news from the order was received just one week before the fall of Fort Sumter. The news itself was that the officer commanding the Sabine, to which vessel the troops had been transferred from the Brooklyn, acting upon some quasi armistice of the late Administration (and of the existence of which the present Administration, up to the time the order was dispatched, had only too vague and uncertain rumors to fix attention), had refused to land the troops. To now reenforce Fort Pickens before a crisis would be reached at Fort Sumter was impossible, rendered so by the near exhaustion of provisions in the latter-named fort. In precaution against such a conjuncture the Government had a few days before commenced preparing an expedition, as well adapted as might be, to relieve Fort Sumter, which expedition was intended to be ultimately used or not, according to circumstances. The strongest anticipated case for using it was now presented, and it was resolved to send it forward. As had been intended in this contingency, it was also resolved to notify the governor of South Carolina that he might expect an attempt would be made to provision the fort, and that if the attempt should not be resisted there would be no effort to throw in men, arms, or ammunition without further notice, or in case of an attack upon the fort. This notice was accordingly given, whereupon the fort was attacked and bombarded to its fall, without even awaiting the arrival of the provisioning expedition.

It is thus seen that the assault upon and reduction of Fort Sumter was in no sense a matter of self-defense on the part of the assailants. They well knew that the garrison in the fort could by no possibility commit aggression upon them. They knew—they were expressly notified—that the giving of bread to the few brave and hungry men of the garrison was all which would on that occasion be attempted, unless themselves, by resisting so much, should provoke more. They knew that this Government desired to keep the garrison in the fort, not to assail them, but merely to maintain visible possession, and thus to preserve the Union from actual and immediate dissolution, trusting, as hereinbefore stated, to time, discussion, and the ballot box for final adjustment; and they assailed and

reduced the fort for precisely the reverse object—to drive out the visible authority of the Federal Union, and thus force it to immediate dissolution. That this was their object the Executive well understood; and having said to them in the inaugural address, "You can have no conflict without being yourselves the aggressors," he took pains not only to keep this declaration good, but also to keep the case so free from the power of ingenious sophistry as that the world should not be able to misunderstand it. By the affair at Fort Sumter, with its surrounding circumstances, that point was reached. Then and thereby the assailants of the Government began the conflict of arms, without a gun in sight or in expectancy to return their fire, save only the few in the fort, sent to that harbor years before for their own protection, and still ready to give that protection in whatever was lawful. In this act, discarding all else, they have forced upon the country the distinct issue, "Immediate dissolution or blood."

And this issue embraces more than the fate of these United States. It presents to the whole family of man the question whether a constitutional republic, or democracy—a government of the people by the same people—can or can not maintain its territorial integrity against its own domestic foes. It presents the question whether discontented individuals, too few in numbers to control administration according to organic law in any case, can always, upon the pretenses made in this case, or on any other pretenses, or arbitrarily without any pretense, break up their government, and thus practically put an end to free government upon the earth. It forces us to ask, Is there in all republics this inherent and fatal weakness? Must a government of necessity be too strong for the liberties of its own people, or too weak to maintain its own existence?

So viewing the issue, no choice was left but to call out the war power of the Government and so to resist force employed for its destruction by force for its preservation.

The call was made, and the response of the country was most gratifying, surpassing in unanimity and spirit the most sanguine expectation. Yet none of the States commonly called slave States, except Delaware gave a regiment through regular State organization. A few regiments have been organized within some others of those States by individual enterprise and received into the Government service. Of course the seceded States, so called (and to which Texas had been joined about the time of the inauguration), gave no troops to the cause of the Union. The border States, so called, were not uniform in their action, some of them being almost for the Union, while in others, as Virginia, North Carolina, Tennessee, and Arkansas, the Union sentiment was nearly repressed and silenced. The course taken in Virginia was the most remarkable, perhaps the most important. A convention elected by the people of that State to consider this very question of disrupting the Federal Union was in session at the capital of Virginia when Fort Sumter fell. To this body the people had chosen a large majority of professed Union men. Almost immediately after the fall of Sumter many members of that majority went over to the original disunion minority, and with them adopted an ordinance for withdrawing the State from the Union. Whether this change was wrought by their great approval of the assault upon Sumter or their great resentment at the Government's resistance to that assault is not definitely known. Although they submitted the ordinance for ratification to a vote of the people, to be taken on a day then somewhat more than a month distant, the convention and the legislature (which was also in session at the same time and place), with leading men of the State not members of either, immediately commenced acting as if the State were already out of the Union. They pushed military preparations vigorously forward all over the State. They seized the United States armory at Harpers Ferry and the navy-yard at Gosport, near Norfolk. They received—perhaps invited—into their State large bodies of troops, with their warlike appointments, from the so-called seceded States. They formally entered into a treaty of temporary alliance and cooperation with the so-called "Confederate States," and sent members to their congress at Montgomery; and, finally, they permitted the insurrectionary government to be transferred to their capital at Richmond.

The people of Virginia have thus allowed this giant insurrection to make its nest within her borders, and this Government has no choice left but to deal with it where it finds it; and it has the less regret, as the loyal citizens

have in due form claimed its protection. Those loyal citizens this Government is bound to recognize and protect, as being Virginia.

In the border States, so called—in fact, the Middle States—there are those who favor a policy which they call "armed neutrality;" that is, an arming of those States to prevent the Union forces passing one way or the other over their soil. This would be disunion completed. Figuratively speaking, it would be the building of an impassable wall along the line of separation, and yet not quite an impassable one, for, under the guise of neutrality, it would tie the hands of the Union men and freely pass supplies from among them to the insurrectionists, which it could not do as an open enemy. At a stroke it would take all the trouble off the hands of secession, except only what proceeds from the external blockade. It would do for the disunionists that which of all things they most desire—feed them well and give them disunion without a struggle of their own. It recognizes no fidelity to the Constitution, no obligation to maintain the Union; and while very many who have favored it are doubtless loyal citizens, it is, nevertheless, very injurious in effect.

Recurring to the action of the Government, it may be stated that at first a call was made for 75,000 militia, and rapidly following this a proclamation was issued for closing the ports of the insurrectionary districts by proceedings in the nature of blockade. So far all was believed to be strictly legal. At this point the insurrectionists announced their purpose to enter upon the practice of privateering.

Other calls were made for volunteers to serve three years unless sooner discharged, and also for large additions to the Regular Army and Navy. These measures, whether strictly legal or not, were ventured upon under what appeared to be a popular demand and a public necessity, trusting then, as now, that Congress would readily ratify them. It is believed that nothing has been done beyond the constitutional competency of Congress.

Soon after the first call for militia it was considered a duty to authorize the Commanding General in proper cases, according to his discretion, to suspend the privilege of the writ of habeas corpus, or, in other words, to arrest and detain without resort to the ordinary processes and forms of law such individuals as he might deem dangerous to the public safety. This authority has purposely been exercised but very sparingly. Nevertheless, the legality and propriety of what has been done under it are questioned, and the attention of the country has been called to the proposition that one who is sworn to "take care that the laws be faithfully executed" should not himself violate them. Of course some consideration was given to the questions of power and propriety before this matter was acted upon. The whole of the laws which were required to be faithfully executed were being resisted and failing of execution in nearly one-third of the States. Must they be allowed to finally fail of execution, even had it been perfectly clear that by the use of the means necessary to their execution some single law, made in such extreme tenderness of the citizen's liberty that practically it relieves more of the guilty than of the innocent, should to a very limited extent be violated? To state the question more directly, Are all the laws but one to go unexecuted, and the Government itself go to pieces lest that one be violated? Even in such a case, would not the official oath be broken if the Government should be overthrown when it was believed that disregarding the single law would tend to preserve it? But it was not believed that this question was presented. It was not believed that any law was violated. The provision of the Constitution that "the privilege of the writ of habeas corpus shall not be suspended unless when, in cases of rebellion or invasion, the public safety may require it" is equivalent to a provision—is a provision—that such privilege may be suspended when, in cases of rebellion or invasion, the public safety does require it. It was decided that we have a case of rebellion and that the public safety does require the qualified suspension of the privilege of the writ which was authorized to be made. Now it is insisted that Congress, and not the Executive, is vested with this power; but the Constitution itself is silent as to which or who is to exercise the power; and as the provision was plainly made for a dangerous emergency, it can not be believed the framers of the instrument intended that in every case the danger should run its course until Congress could be called together, the very assembling of which might

be prevented, as was intended in this case, by the rebellion.

No more extended argument is now offered, as an opinion at some length will probably be presented by the Attorney-General. Whether there shall be any legislation upon the subject, and, if any, what, is submitted entirely to the better judgment of Congress.

The forbearance of this Government had been so extraordinary and so long continued as to lead some foreign nations to shape their action as if they supposed the early destruction of our National Union was probable. While this on discovery gave the Executive some concern, he is now happy to say that the sovereignty and rights of the United States are now everywhere practically respected by foreign powers, and a general sympathy with the country is manifested throughout the world.

The reports of the Secretaries of the Treasury, War, and the Navy will give the information in detail deemed necessary and convenient for your deliberation and action, while the Executive and all the Departments will stand ready to supply omissions or to communicate new facts considered important for you to know.

It is now recommended that you give the legal means for making this contest a short and a decisive one; that you place at the control of the Government for the work at least 400,000 men and \$400,000,000. That number of men is about one-tenth of those of proper ages within the regions where apparently all are willing to engage, and the sum is less than a twenty-third part of the money value owned by the men who seem ready to devote the whole. A debt of \$600,000,000 now is a less sum per head than was the debt of our Revolution when we came out of that struggle, and the money value in the country now bears even a greater proportion to what it was then than does the population. Surely each man has as strong a motive now to preserve our liberties as each had then to establish them.

A right result at this time will be worth more to the world than ten times the men and ten times the money. The evidence reaching us from the country leaves no doubt that the material for the work is abundant, and that it needs only the hand of legislation to give it legal sanction and the hand of the Executive to give it practical shape and efficiency. One of the greatest perplexities of the Government is to avoid receiving troops faster than it can provide for them. In a word, the people will save their Government if the Government itself will do its part only indifferently well.

It might seem at first thought to be of little difference whether the present movement at the South be called "secession" or "rebellion." The movers, however, well understand the difference. At the beginning they knew they could never raise their treason to any respectable magnitude by any name which implies violation of law. They knew their people possessed as much of moral sense, as much of devotion to law and order, and as much pride in and reverence for the history and Government of their common country as any other civilized and patriotic people. They knew they could make no advancement directly in the teeth of these strong and noble sentiments. Accordingly, they commenced by an insidious debauching of the public mind. They invented an ingenious sophism, which, if conceded, was followed by perfectly logical steps through all the incidents to the complete destruction of the Union. The sophism itself is that any State of the Union may consistently with the National Constitution, and therefore lawfully and peacefully, withdraw from the Union without the consent of the Union or of any other State. The little disguise that the supposed right is to be exercised only for just cause, themselves to be the sole judge of its justice, is too thin to merit any notice.

With rebellion thus sugar coated they have been drugging the public mind of their section for more than thirty years, and until at length they have brought many good men to a willingness to take up arms against the Government the

day after some assemblage of men have enacted the farcical pretense of taking their State out of the Union who could have been brought to no such thing the day before .

This sophism derives much, perhaps the whole, of its currency from the assumption that there is some omnipotent and sacred supremacy pertaining to a State—to each State of our Federal Union. Our States have neither more nor less power than that reserved to them in the Union by the Constitution, no one of them ever having been a State out of the Union. The original ones passed into the Union even before they cast off their British colonial dependence, and the new ones each came into the Union directly from a condition of dependence, excepting Texas; and even Texas, in its temporary independence, was never designated a State. The new ones only took the designation of States on coming into the Union, while that name was first adopted for the old ones in and by the Declaration of Independence. Therein the "United Colonies" were declared to be "free and independent States;" but even then the object plainly was not to declare their independence of one another or of the Union, but directly the contrary, as their mutual pledge and their mutual action before, at the time, and afterwards abundantly show. The express plighting of faith by each and all of the original thirteen in the Articles of Confederation, two years later, that the Union shall be perpetual is most conclusive. Having never been States, either in substance or in name, outside of the Union, whence this magical omnipotence of "State rights," asserting a claim of power to lawfully destroy the Union itself? Much is said about the "sovereignty" of the States, but the word even is not in the National Constitution, nor, as is believed, in any of the State constitutions. What is a "sovereignty" in the political sense of the term? Would it be far wrong to define it "a political community without a political superior"? Tested by this, no one of our States, except Texas, ever was a sovereignty; and even Texas gave up the character on coming into the Union, by which act she acknowledged the Constitution of the United States and the laws and treaties of the United States made in pursuance of the Constitution to be for her the supreme law of the land. The States have their status in the Union, and they have no other legal status. If they break from this, they can only do so against law and by revolution. The Union, and not themselves separately, procured their independence and their liberty. By conquest or purchase the Union gave each of them whatever of independence and liberty it has. The Union is older than any of the States, and, in fact, it created them as States. Originally some dependent colonies made the Union, and in turn the Union threw off their old dependence for them and made them States, such as they are. Not one of them ever had a State constitution independent of the Union. Of course it is not forgotten that all the new States framed their constitutions before they entered the Union, nevertheless dependent upon and preparatory to coming into the Union.

Unquestionably the States have the powers and rights reserved to them in and by the National Constitution; but among these surely are not included all conceivable powers, however mischievous or destructive, but at most such only as were known in the world at the time as governmental powers; and certainly a power to destroy the Government itself had never been known as a governmental—as a merely administrative power. This relative matter of national power and State rights, as a principle, is no other than the principle of generality and locality . Whatever concerns the whole should be confided to the whole—to the General Government—while whatever concerns only the State should be left exclusively to the State. This is all there is of original principle about it. Whether the National Constitution in defining boundaries between the two has applied the principle with exact accuracy is not to be questioned. We are all bound by that defining without question.

What is now combated is the position that secession is consistent with the Constitution—is lawful and peaceful. It is not contended that there is any express law for it, and nothing should ever be implied as law which leads to unjust or absurd consequences. The nation purchased with money the countries out of which several of these States were formed. Is it just that they shall go off without leave and without refunding? The nation paid very large sums (in the aggregate, I believe, nearly a hundred millions) to relieve Florida of the aboriginal tribes. Is it just that she shall now be off without consent or without making any return? The nation is now in debt for money applied to the benefit of

these so-called seceding States in common with the rest. Is it just either that creditors shall go unpaid or the remaining States pay the whole? A part of the present national debt was contracted to pay the old debts of Texas. Is it just that she shall leave and pay no part of this herself?

Again: If one State may secede, so may another; and when all shall have seceded none is left to pay the debts. Is this quite just to creditors? Did we notify them of this sage view of ours when we borrowed their money? If we now recognize this doctrine by allowing the seceders to go in peace, it is difficult to see what we can do if others choose to go or to extort terms upon which they will promise to remain.

The seceders insist that our Constitution admits of secession. They have assumed to make a national constitution of their own, in which of necessity they have either discarded or retained the right of secession, as they insist it exists in ours. If they have discarded it, they thereby admit that on principle it ought not to be in ours. If they have retained it, by their own construction of ours they show that to be consistent they must secede from one another whenever they shall find it the easiest way of settling their debts or effecting any other selfish or unjust object. The principle itself is one of disintegration, and upon which no government can possibly endure.

If all the States save one should assert the power to drive that one out of the Union, it is presumed the whole class of seceder politicians would at once deny the power and denounce the act as the greatest outrage upon State rights. But suppose that precisely the same act, instead of being called "driving the one out," should be called "the seceding of the others from that one," it would be exactly what the seceders claim to do, unless, indeed, they make the point that the one, because it is a minority, may rightfully do what the others, because they are a majority, may not rightfully do. These politicians are subtle and profound on the rights of minorities. They are not partial to that power which made the Constitution and speaks from the preamble, calling itself "we, the people."

It may well be questioned whether there is to-day a majority of the legally qualified voters of any State, except, perhaps, South Carolina, in favor of disunion. There is much reason to believe that the Union men are the majority in many, if not in every other one, of the so-called seceded States. The contrary has not been demonstrated in any one of them. It is ventured to affirm this even of Virginia and Tennessee; for the result of an election held in military camps, where the bayonets are all on one side of the question voted upon, can scarcely be considered as demonstrating popular sentiment. At such an election all that large class who are at once for the Union and against coercion would be coerced to vote against the Union.

It may be affirmed without extravagance that the free institutions we enjoy have developed the powers and improved the condition of our whole people beyond any example in the world. Of this we now have a striking and an impressive illustration. So large an army as the Government has now on foot was never before known without a soldier in it but who had taken his place there of his own free choice. But more than this, there are many single regiments whose members, one and another, possess full practical knowledge of all the arts, sciences, professions, and whatever else, whether useful or elegant, is known in the world; and there is scarcely one from which there could not be selected a President, a Cabinet, a Congress, and perhaps a court, abundantly competent to administer the Government itself. Nor do I say this is not true also in the army of our late friends, now adversaries in this contest; but if it is, so much better the reason why the Government which has conferred such benefits on both them and us should not be broken up. Whoever in any section proposes to abandon such a government would do well to consider in deference to what principle it is that he does it; what better he is likely to get in its stead; whether the substitute will give, or be intended to give, so much of good to the people. There are some foreshadowings on this subject. Our adversaries have adopted some declarations of independence in which, unlike the good old one penned by Jefferson, they omit the words "all men are created equal." Why? They have adopted a temporary national constitution, in the preamble of which, unlike our good old one signed by Washington, they omit "We, the

people," and substitute "We, the deputies of the sovereign and independent States." Why? Why this deliberate pressing out of view the rights of men and the authority of the people?

This is essentially a people's contest. On the side of the Union it is a struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men; to lift artificial weights from all shoulders; to clear the paths of laudable pursuit for all; to afford all an unfettered start and a fair chance in the race of life. Yielding to partial and temporary departures, from necessity, this is the leading object of the Government for whose existence we contend.

I am most happy to believe that the plain people understand and appreciate this. It is worthy of note that while in this the Government's hour of trial large numbers of those in the Army and Navy who have been favored with the offices have resigned and proved false to the hand which had pampered them, not one common soldier or common sailor is known to have deserted his flag.

Great honor is due to those officers who remained true despite the example of their treacherous associates; but the greatest honor and most important fact of all is the unanimous firmness of the common soldiers and common sailors. To the last man, so far as known, they have successfully resisted the traitorous efforts of those whose commands but an hour before they obeyed as absolute law. This is the patriotic instinct of plain people. They understand without an argument that the destroying the Government which was made by Washington means no good to them.

Our popular Government has often been called an experiment. Two points in it our people have already settled—the successful establishing and the successful administering of it. One still remains—its successful maintenance against a formidable internal attempt to overthrow it. It is now for them to demonstrate to the world that those who can fairly carry an election can also suppress a rebellion; that ballots are the rightful and peaceful successors of bullets, and that when ballots have fairly and constitutionally decided there can be no successful appeal back to bullets; that there can be no successful appeal except to ballots themselves at succeeding elections. Such will be a great lesson of peace, teaching men that what they can not take by an election neither can they take it by a war; teaching all the folly of being the beginners of a war.

Lest there be some uneasiness in the minds of candid men as to what is to be the course of the Government toward the Southern States after the rebellion shall have been suppressed, the Executive deems it proper to say it will be his purpose then, as ever, to be guided by the Constitution and the laws, and that he probably will have no different understanding of the powers and duties of the Federal Government relatively to the rights of the States and the people under the Constitution than that expressed in the inaugural address.

He desires to preserve the Government, that it may be administered for all as it was administered by the men who made it. Loyal citizens everywhere have the right to claim this of their government, and the government has no right to withhold or neglect it. It is not perceived that in giving it there is any coercion, any conquest, or any subjugation in any just sense of those terms.

The Constitution provides, and all the States have accepted the provision, that "the United States shall guarantee to every State in this Union a republican form of government." But if a State may lawfully go out of the Union, having done so it may also discard the republican form of government; so that to prevent its going out is an indispensable means to the end of maintaining the guaranty mentioned; and when an end is lawful and obligatory the indispensable means to it are also lawful and obligatory.

It was with the deepest regret that the Executive found the duty of employing the war power in defense of the Government forced upon him. He could but perform this duty or surrender the existence of the Government. No compromise by public servants could in this case be a cure; not that compromises are not often proper, but that no popular government can long survive a marked precedent that those who carry an election can only save the government from immediate destruction by giving up the main point upon which the people gave the election. The people themselves, and not their servants, can safely reverse their own deliberate decisions.

As a private citizen the Executive could not have consented that these institutions shall perish; much less could he in betrayal of so vast and so sacred a trust as these free people had confided to him. He felt that he had no moral right to shrink, nor even to count the chances of his own life in what might follow. In full view of his great responsibility he has so far done what he has deemed his duty. You will now, according to your own judgment, perform yours. He sincerely hopes that your views and your action may so accord with his as to assure all faithful citizens who have been disturbed in their rights of a certain and speedy restoration to them under the Constitution and the laws.

And having thus chosen our course, without guile and with pure purpose, let us renew our trust in God and go forward without fear and with manly hearts.

MONDAY MORNING, DEC. 2, 1861.

The President's Message.

We presume the President's Message will be sent in to Congress on the first day of the session; for the members of both Houses must feel the necessity of being present on the first day of the session, so as to constitute a quorum, which, owing to the secession of the Southern States, will require nearly all the Northern members.

It is understood that the Message is already written, though still held open for such amendment or alteration as events may dictate. We have no doubt that it will be a Conservative and Constitutional Message. Mr. LINCOLN has realised, in his position at Washington, how false and inadequate and unsatisfactory a platform is that presented by the Chicago Convention; and we do not believe that we will have any more such allusions from him, to that trumpery affair, as defaced his Inaugural Address, and pained, and in a great measure alienated the Northern people.

President LINCOLN, in descending from his rickety platform to the broad and solid ground of the Constitution, meets the people there; and they are with him as long as he holds firm and true. If he places this war upon Constitutional grounds, and rejects the idea of seizing upon it as the occasion for instituting the revolutionary policy of emancipation, he may be deserted by a faction, but he will be sustained by a People. The indications are that he will take this ground with distinctness, and we hope he will mar it by no reservations or equivocations, nor by any delusive and deceptive generalities in a contrary sense. His Message will find its way South and be read there, and if it is conceived in the proper spirit will disabuse the public mind there of its worst prejudices and encourage and revive the Union spirit.

Nor must the President omit to reassure the troubled spirit of the North, in regard to Constitutional guaranties. The exigency has passed since the Executive deemed it necessary, in self-defence, and in defence of the Capital and the public archives, to suspend the operation of the Civil law. The Capital is no longer in danger. If there ever was disloyalty North of the line of the Potomac, it no longer exists; and the Administration is weak there only because it persists in the exercise of unauthorised power. Let Congress assert and resume its rights in regard to the writ of Habeas Corpus, and let the President be the first to advise them to it. Let Congress devise and legalise such a passport system as the exigencies of the country may require, and provide instruments for its execution, and provisions against its abuse, so as to supercede the meddling absurdity that Mr. SEWARD has extemporized.

Congress also should revise the Morrill Tariff, and substitute for it, as far as practicable, a tariff leveled to a revenue basis. Such a tariff would invite the importation of what is now substantially prohibited, and make the large free list, now exempted for the benefit of certain interests, contribute its share of duties. The system of internal taxation should also be revised, and the States be allowed to commute upon reasonable terms, by advance payments, not only for the direct tax, but for the income tax also. Give the States the power to substitute, for the vast and expensive and inquisitorial organization which the Tax bill of last session provides, the machinery for collection now in operation in the States, and the economy and simplicity thus secured will amount to a substantial gain. It will not be difficult to estimate what must be the annual income of a State, upon the basis of its aggregated capital, in real and personal property, and the tax may be levied on that sum.

Congress must have the courage to meet this question of taxation with a firm front. The immense national debt rolling up and the increasing volume of government currency, in circulation, can maintain vitality only by means of taxation. There is no such thing as a National Credit, to which the Nation itself refuses its contribution of means. The Banks hold some hundreds of millions of Government stocks, and cannot perform their functions, as lenders of capital to enterprise and trade, and regulators of the currency, unless the people vitalise this public credit by willing contributions of money. The moment the life-blood grows sluggish and begins to stagnate, then paralysis will fall upon private as well as public credit, upon trade and industry, and upon the uplifted hand of war.

At the present moment the revenues derived from all sources for the *ordinary* expenses of government, fall sixty millions a year short. The annual interest of the public debt, as it now exists, cannot be less, and provision must be made for a Sinking Fund also. This vast sum must be contributed by two-thirds of the States, many of them already impoverished by the War. But in order that this war may be a short one, the people must not hesitate to shoulder these burdens. They cannot shirk them; and even then there will be still larger and heavier one for posterity to struggle under, for many generations.

What else can be done to make the war a short one? How purge the Army of speculators and profligates, of incapables and imbeciles? That, too, is for Congress to look to; and it is a worthier task than the scrutiny into the politics of Clerks of Departments, or the indulgence in Abolition oratory at the expense of the country.

We know not what may be the course of Congress, for passion and chance may turn it one way or the other; but the President may do much to start it in the direction of conservative and constitutional action; and we look to him to do so.

THE PRESIDENT'S MESSAGE.

Fellow-Citizens of the Senate

and House of Representatives;

Amid unprecedented political troubles we have great cause of gratitude to God for unusual good health and most abundant harvests.

You will not be surprised to learn that in the peculiar exigencies of the times, our intercourse with foreign nations has been attended with profound solicitude, chiefly turning upon our own domestic affairs.

A disloyal portion of the American people have, during the whole year, been engaged in an attempt to divide and destroy the Union. A nation which endures factious domestic divisions is exposed to disrespect abroad, and one party, if not both, is sure, sooner or later, to invoke foreign intervention.

Nations thus tempted to interfere are not always able to resist the counsels of seeming expediency and ungenerous ambition, although such influences seldom fail to be unfortunate and injurious to those adopting them.

The disloyal citizens of the United States who have offered the ruin of our country, in return for the aid and comfort which they have invoked abroad, have received less patronage and encouragement than they probably expected.

If it were just to suppose, as the insurgents have seemed to assume, that foreign nations, in this case disregarding all moral, social and treaty obligations, would act solely and selfishly for the most speedy restoration of commerce, including especially the acquisition of cotton, those nations appear as yet not to have seen their way to their object more directly or clearly through the destruction than through the preservation of the Union.

If we could dare to believe that foreign nations are actuated by no higher principle than this, I am quite sure a second argument could be made to show them that they can reach their aim more readily and easily by aiding to crush this rebellion, than by giving encouragement to it.

The principal lever relied upon by the insurgents for exciting foreign nations to hostility against us, as already witnessed, is the embarrassment of commerce.

Those nations, however, it is not improbable, saw from the first that it was the Union which made as well our foreign as our domestic commerce. They can scarcely have failed to perceive that the effort for disunion produces the existing difficulty, and that one strong nation promises more durable peace and a more extensive and reliable commerce, than can the same nation, broken into hostile fragments.

[To be continued in our next Edition.]

THE POLICY OF THE ADMINISTRATION.

New York, 3d. The Times despatch says that the struggle is over, and the President's conservative policy sustained by the Cabinet with entire unanimity.

TRANSCRIPT EXTRA!

VERY LATEST NEWS!

6 O'CLOCK, P. M.

Latest by Telegraph.

THE PRESIDENT'S MESSAGE.

[Continued from our Second Edition.]

It is my purpose to review our discussions with foreign states, because whatever might be their wishes or dispositions, the integrity of our country and the stability of our governments, depends not upon them, but upon the loyalty, virtue, patriotism and intelligence of the American people. The correspondence itself, with the usual reservations, is herewith transmitted. I venture to hope it will appear that we have practised prudence and liberality towards foreign powers, averting causes of irritation, and with firmness maintaining our own rights and honor.

Since, however, it is apparent that here as in every other State, foreign dangers necessarily attend domestic difficulties, I recommend that adequate and ample measures be adopted for maintaining the public defences on every side; while under this general recommendation, provision for defending our coast line readily occurs to the mind.

I also in the same connection ask the attention of Congress to our great lakes and rivers. It is believed that some fortifications, with harbor and navigation improvements, at well selected points, upon these, would be of great importance to the national defence and preservation. I ask attention to the views of the Secretary of War, expressed in his report upon the same general subjects.

I deem it of importance that the loyal regions of East Tennessee and Western North Carolina, should be connected with Kentucky and other faithful parts of the Union by railroad. I therefore recommend as a military measure that Congress provide for the construction of such a road as speedily as possible. Kentucky will no doubt cooperate, and through her Legislature make the most judicious selection of a line. The northern terminus must connect with some existing railroad, and whether the route shall be from Lexington or Nicholasville to the Cumberland Gap, or from Lebanon to the Tennessee line, in the direction of Knoxville, or in some still different one, can easily be determined.

Kentucky and the General Government coöperating, the work can be completed in a very short time, and when done it will be not only of vast present usefulness, but also a valuable permanent improvement, worth its cost in all the future.

Some treaties designed chiefly for the interests of commerce, and having no grave political importance, have been negotiated and will be submitted to the Senate for their consideration. Although we have failed to induce some of the commercial powers to adopt a desirable amelioration of the rigors of maritime war, we have removed all obstructions from the way of this humane reform, except such as are merely of a temporary nature.

The revenue from all sources, including loans, for the financial year ending on the 30th of June, 1861, was \$86,835,900 27, and the expenditures for the same period, including payments on account of the public debt, were \$84,578,034 47, leaving a balance in the Treasury on the 1st of July of \$2,257,865 80 for the first quarter of the financial year ending 30th Sept., 1861.

The receipts from all sources, including the balance of July last were \$102,532,500 27; and the expenses \$98,239,733 09, leaving a balance on the 1st of Oct., 1861, of \$4,292,776 18.

Estimates for the remaining three-quarters of a year, and for the financial year of 1863, together with reviews of the ways and means for meeting the demands contemplated by them, will be submitted to you by the Secretary of the Treasury.

It is gratifying to know that the expenses made necessary by the rebellion are not beyond the resources of the loyal people, and to believe that the same patriotism that has thus far sustained the Government, will continue to sustain it, until peace and Union shall again bless the land.

I respectfully refer to the report of the Secretary of War for information respecting the numerical strength of the army and for recommendations having in view an increase of its efficiency and the well being of the various branches of the service entrusted to his care.

It is gratifying to know that the patriotism of the people has proved equal to the occasion; and thus the number of troops tendered greatly exceeds the force which Congress authorized me to call into the field.

I repeat the recommendation of my predecessor in his annual message to Congress in December last, in regard to the disposition of the surplus which will probably remain after satisfying the claims of American citizens against China, pursuant to the awards of the commissioners under the act of the 3d of March, 1859. If, however, it should not be deemed advisable to carry that recommendation into effect, I would suggest that authority be given for investing the principal over the proceeds of the surplus referred to in good securities, with a view to the satisfaction of such other just claims of our citizens against China as are not unlikely to arise hereafter in the course of our extensive trade with that empire.

By the act of the 5th of August last, Congress authorized the President to instruct the commanders of suitable vessels to defend themselves against and to capture pirates. This authority has been exercised in a single instance only. For the more effectual protection of our extensive and valuable commerce in the Eastern seas especially, it seems to me that it would be advisable to authorize the commanders of sailing vessels to recapture any prizes which pirates may make of the United States vessels and their cargoes, and the consular courts established by law in Eastern countries to adjudicate the cases, in the event that this should not be objected to by the local authorities.

If any good reason exists why we should persevere longer in withholding our recognition of the independence and sovereignty of Hayti and Liberia, I am unable to discover it. I am unwilling, however, to inaugurate a novel policy in regard to them without the approbation of Congress. I submit for your consideration the expediency of an appropriation for maintaining a Charge d'Affaires near each of those new States. It does not admit of doubt that important commercial advantages might be secured by favorable treaties with them.

The operations of the Treasury during the period which has elapsed since your adjournment, have been conducted with signal success. The patriotism of the people has placed at the disposal of the Government the large means demanded by the public exigencies. Much of the national loan has been taken by citizens of the industrial classes, whose confidence in their country's faith, and zeal for their country's deliverance from its present peril, have induced them to contribute to the support of the Government the whole of their limited acquisitions. This fact imposes peculiar obligations to economy in disbursements and energy in action.

I refer with pleasure to those portions of his report which make allusion to the creditable degree of discipline already attained by our troops, and to the excellent sanitary condition of the entire army. The recommendation of the Secretary for an organization of the militia upon a uniform basis, is a subject of vital importance to the future safety of the country, and is commended to the serious attention of Congress.

The large addition to the regular army, in connection with the detection that has so considerably diminished the number of its officers, gives peculiar importance to his recommendation for increasing the corps of Cadets to the greatest capacity of the Military Academy.

By more omission, I presume, Congress has failed to provide chaplains for the hospitals occupied by the volunteers. This subject was brought to my notice, and I was induced to draw up the form of a letter, one copy of which, properly addressed, has been delivered to each of the persons, and at the dates respectively named and stated in a schedule containing also the form of the letter, marked A, and herewith transmitted. These gentlemen, I understand, entered upon the duties designated at the times respectively stated in the schedule, and have labored faithfully therein ever since. I therefore recommend that they be compensated at the same rate as chaplains in the army.

I further suggest that general provision be made for chaplains to serve at hospitals as well as with regiments.

The report of the Secretary of the Navy presents in detail the operations of that branch of the service, the activity and energy which have characterized its administration, and the results of the measures to increase its efficiency and power. Such have been the additions, by construction and purchase, that it may almost be said that a navy has been created and brought into service since our difficulties commenced. Besides blockading our extensive coast, squadrons, larger than ever before assembled under our flag, have been put afloat, and performed deeds which have increased our naval renown.

I would invite special attention to the recommendation of the Secretary for a more perfect organization of the Navy by introducing additional grades in the service. The present organization is defective and unsatisfactory, and the suggestions submitted by the Department will, it is believed, if adopted, obviate the difficulties alluded to, promote harmony and increase the efficiency of the Navy.

There are three vacancies on the bench of the Supreme Court—two by the decease of Justices Daniel and McLean, and one by the resignation of Justice Campbell. I have so far forbore making nominations, for reasons which I will now state.

Two of the outgoing Judges resided within the States now overrun by revolt, so that if successors were appointed in the same localities, they could not now serve upon their circuits; and many of the most competent men there, probably would not take the personal hazard of accepting to serve, even here upon the Supreme Bench. I have been unwilling to throw all the appointments northward, thus disabling myself from doing justice to the South, on the return of peace, although I may remark that to transfer to the North one which has heretofore been in the South, would not with reference to territory and population be unjust.

During the long and brilliant judicial career of Judge McLean, his circuit grew into an empire, altogether too large for any one Judge to give the courts therein more than a nominal attendance—rising to population from one million four hundred and sev-

enty thousand and eighteen in 1830 to six millions one hundred and fifty-one thousand four hundred and five in 1860. Besides this the country has outgrown our present judicial system.

If uniformity was at all intended, the system requires that all the States shall be accommodated with Circuit Courts, attended by Supreme Judges, while in fact Wisconsin, Minnesota, Iowa, Kansas, Florida, Texas, California and Oregon, have never had any such courts. Nor can this well be remedied without a change of the system, because the adding of Judges to the Supreme Court, enough for the accommodation of all parts of the country with Circuit Courts, would create a court altogether too numerous for a judicial body of any sort, and the evil of it will be one that will increase as new States come into the Union.

Circuit Courts are useful or not useful; if useful, no State should be denied them; if not useful, no State should have them; let them be provided for all or abolished to all. Three modifications occur to me, either of which, I think, would be an improvement upon our present system. Let the Supreme Court be of a convenient number in every event. Then, first, let the whole country be divided into circuits of convenient size, the Supreme Judges to serve in a number of them corresponding to their own number, and independent circuit judges to be provided for all the rest. Or, secondly, let the Supreme Judges be relieved from circuit duties, and circuit judges provided for all the circuits. Or, thirdly, dispense with Circuit Courts altogether, leaving the judicial functions wholly to the District Courts, and an Independent Supreme Court.

I respectfully recommend to the consideration of Congress, the present condition of the statute laws, with the hope that Congress will be able to find an easy remedy for many of the inconveniences and evils which constantly embarrass those engaged in the practical administration of them. Since the organization of the Government, Congress has enacted some five thousand acts and joint resolutions, which fill more than six thousand closely-printed pages, and are scattered through many volumes. Many of these acts have been drawn in haste and without sufficient caution, so that their provisions are often obscure in themselves, or in conflict with each other, or at least so doubtful as to render it very difficult for even the best-informed persons to ascertain precisely what the statute law really is.

It seems to me very important that the statute laws should be made as plain and intelligent as possible, and be reduced to as small a compass as may consist with the fullness and precision of the will of the legislature and the perspicuity of its language. These, well done, would, I think, greatly facilitate the labors of those whose duty it is to assist in the administration of the laws, and would be a lasting benefit to the people, by placing before them in a more accessible and intelligible form the laws which so deeply concern their interests and their duties.

I am informed by some whose opinions I respect, that all the acts of Congress, now in force and of a permanent and general nature, might be revised and rewritten, so as to be embraced in one volume, or at least two volumes of ordinary and convenient size; and I respectfully recommend to Congress to consider the subject, and if my suggestion be approved, to devise such plan as to their wisdom shall seem most proper, for the attainment of the end proposed.

One of the unavoidable consequences of the present insurrection is the entire suppression in many places of all ordinary means of administering civil justice by the officers and in the forms of existing law. This is the case in the whole or in part of all the insurgent States, and as our armies advance upon and take possession of parts of those States, the practical evil becomes more apparent. There are no courts nor officers to whom the citizens of other States may apply for the enforcement of their lawful claims against citizens of those States, and there is a vast amount of debt constituting such claims. Some have estimated it as high as two hundred millions of dollars, due in large part from insurgents in open rebellion to loyal citizens, who are even now making great sacrifices in the discharge of their patriotic duty to support the Government.

Under these circumstances I have been urgently solicited to establish by military power courts to administer summary justice in such cases. I have thus far declined to do it, not because I had any doubt that the end proposed—the collection of the debts—was just and right in itself, but because I have been unwilling to go beyond the pressure of necessity in the unusual experience of power. But the powers of Congress I suppose are equal to the anomalous occasion, and therefore I refer the whole matter to Congress, with the hope that a plan may be devised for the administration of justice in all such parts of the insurgent States and Territories as may be under the control of the Government, whether by a voluntary return to allegiance and order, or by the power of our arms. This, however, is not to be a permanent institution, but a temporary substitute, and to cease as soon as the courts can be reestablished in peace.

It is important that some more convenient means should be provided, if possible, for the adjustment of claims against the Government—especially in view of their increased number by reason of the war. It is as much the duty of the Government to render prompt justice against itself in favor of the citizens, as it is to administer the same between private individuals. The investigation and adjudication of claims in their nature belong to the judicial department; besides, it is apparent that the attention of Congress will be more than usually engaged, for some time to come, with the great national questions.

It was intended by the organization of the Court of Claims mainly to remove this branch of business from the halls of Congress; but while the Court has prov-

...reports, examinations, commerce and manufacturing, and a fund of information of great value to the country. While I make no details, I venture the opinion that the Bureau might profitably and Statistics of the laws for the

of great practical value make no suggestions as to that an Agricultural profitably be organized. for the suppression of

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...Nothing now occurs to
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...or what we call slaves; and
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the insurrection is upon the first principle the rights of the this is found in the dered public documents of the insurgents. abridgement of the denial to the people the selection of public body, advocated with at large control of the source of all political times hinted at, as a of the people. id scarcely be justified t this approach of ret succeeded nor fitting here d be made in favor of e is one point with its as most others, to which the effort to place capi- if not above, labor in available only in connec- body labors unless some- omhow by the use of it, assumed, it is next con- at capital shall hire labor- to work by their own con- them to it without their d so far, it is naturally r as either hired laborers further, it is assumed, ed laborer, is fixed in that

Now there is no such relation between capital and labor as assumed, nor is there any such thing as a free man being fixed for life in the condition of a hired laborer. Both of these assumptions are false, and all references from them are groundless. Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration; capital has its rights, which are as worthy of protection as any other rights.

Nor is it denied that there is and probably always

will be, a relation between labor and capital producing mutual benefits. The error is in assuming that the whole labor of the community exists within that relation. A few men own capital, and that few avoid labor themselves, and with their capital hire or buy another few to labor for them. A large majority, belonging to neither class, neither work for others, nor have others working for them.

In most of the Southern States a majority of the whole people, of all colors are neither slaves nor masters, while in the Northern a large majority are neither hirers nor hired men, with their families, wives, sons and daughters working for themselves on their farms, in their houses and in their shops, taking the whole products to themselves and asking no favors of capitalists on the one hand, nor a hired laborer or slaves on the other.

It is not forgotten that a considerable number of persons mingle their own labor with capital; that is, they labor with their own hands and also buy or hire others to labor for them. But this is only a mixed and not a distinct class. No principle stated is disturbed by the existence of this mixed class.

Again, as has already been said, there is not of necessity any such thing as the free hired laborer being fixed for that condition for life. Many independent men, everywhere in these States, a few years back in their lives, were hired laborers. The prudent, penniless laborer in the world labors for wages awhile, saves a surplus with which to buy tools or land for himself, then labors on his own account another while, and at length hires another new beginner to help him.

This is the just, and generous, and prosperous system which opens the way to all, and the consequent progress and improvement of the condition of all. No men living are more worthy to be trusted than those who toil on from poverty; none less inclined to take or touch aught which they have not honestly earned.

Let these beware of surrendering a political power which they already possess, and which if surrendered will surely be used to close the door of advancement against such as they, and to fix new disabilities and burdens upon them, till all of liberty shall be lost.

From the first taking of our National Census to the last are 70 years, and we find our population at the end of the period eight times as great as it was at the beginning. The increase of those other things which men deem desirable has been even greater.

We thus have at one view, what the popular principle applied to Government, through the machinery of the States and the Union, has produced in a given time; and also what, if firmly maintained, it promises for the future. There are among us those who, if the Union be preserved, will live to see it contain two hundred and fifty millions of people.

The struggle, if bloody, is not altogether for today. It is for a vast future also. With a firm reliance in Providence, all the more firm and earnest, let us proceed in the great task which events have devolved upon us.

(Signed)

ABRAHAM LINCOLN.

Washington, Dec. 3d, 1861.

LINCOLN ON DEFENSE

To the Editor of The Republican:—

In his annual message December 3, 1861, President Lincoln said: "It is not my purpose to review our discussions with foreign states, because, whatever may be their wishes or dispositions, the integrity of our country and the stability of our government depend, mainly, not upon foreign government, but on the loyalty, virtue, patriotism and intelligence of the American people.

"Since, however, it is apparent that here, as in every other state, foreign dangers necessarily attend domestic difficulties, I recommend that adequate and ample measure be adopted for maintaining on every side the public defenses. While under this general recommendation, provision for defending our sea-coast comes readily to mind, in the same connection, I also ask Congress to give attention to our great lakes and rivers."

Mr Lincoln was a calm, foreseeing man; few have had keener minds or used their minds to a greater extent than he, that woodman of the West.

Those recommendations of Abraham Lincoln are, even now, awaiting fulfillment. Must America, again and again, learn the lessons taught in 1812, 1861, 1898, and 1917?

NORWELL WESTRIDGE.

New York city, August 20, 1929.

PRINCETON (N.J.) REPUBLICAN
Saturday, August 24, 1929

From The Spectator, 24 Dec.

THE PRESIDENT'S MESSAGE.

A DRY, shrewd tenacity has always been the characteristic of Mr. Lincoln's messages, and the one transmitted to Congress on 6th December, is drier, shrewder, and more tenacious than ever. His reflection, while it has not taught him to write eloquently or to conceal the process of slow thinking so visible between the lines of all his compositions, has made him a little more confident in the success of his own views, a little less apprehensive lest there should be any fatal divergence between the will of the electors and his own. This time the people is not quite so absolutely master as it was last year. Then its decree was apparently considered equal to a moral law, now the president, though he has not emancipated his judgment, has at least regained the control of his own conscience. "It is the people who in the end must decide," he said only a year ago, but this time, "If the people should, by whatever mode or means, make it an executive duty to re-enslave the enfranchised, another, not I, must be their instrument to propose it." "I," one perceives, have divined that in this matter of slavery there is a law higher than the will of the people, which "I," at the cost of dethronement or otherwise, intend henceforth to obey. Two years more of power, and Mr. Lincoln will probably announce what he already dimly perceives,—that the place of rulers is in the front, that it is his duty to lead, and not merely to follow, and that the essence of self-government is the right of changing guides, not of declaring that the mass will rush on leaderless. Already he has stepped out of the crowd enough to be visible, and proposes three distinct steps forward,—to abolish slavery by an act beyond assault from State legislatures, to declare slave-traders "enemies of the human race," i. e., persons below the operation of international laws, liable to be surrendered or executed, though their offence was not committed within American jurisdiction, and to place much of the national debt under the protection, so to speak, of an entail. The American Constitution contains one remarkable provision which has hitherto been inoperative, but which may under certain circumstances invest Congress with some of the powers of a parliament. That body can propose to change the Constitution whenever opinion is sufficiently unanimous to admit of a vote by a majority of two-thirds. The president believes that this time has almost arrived, and urges this Congress to anticipate what he says its successor will certainly do, and make the abolition of slavery part of the Constitution. No State could then reintroduce it, any more than it could introduce

hereditary power or privilege, and the slaves will be beyond attack even if a single State should attempt, as Arkansas once did, to re-enslave them. Any doubt as to the State power must be settled by an appeal to the Supreme Court, and the first act of the president after his message was, as a practical comment on his meaning, to appoint Mr. Chase—lawyer, financier, and determined abolitionist—Chief Justice of the Supreme Court, the single great functionary in the Union who is beyond removal. The second proposal was suggested doubtless by the Almeida incident, a slave-dealer of that name escaped from Cuba having been arrested by the president's own order, as a person below the operation of laws, "enemy of the human race," as he says, and surrendered for punishment to Spain. Its effect, if accepted, will be to make the municipal law of the Union which prescribes death for slave-dealing beyond the confines of the Union, and under which Captain Gordon was hanged in New York, applicable likewise to all foreigners living within the States. The third proposal will seem to English financiers a strange one, but it is not without a precedent. A desire to secure more permanence for wealth than their system naturally allows has been frequently displayed by American politicians. The old Homestead Bill certainly contained, and the new Homestead Bill, we believe, contains, a clause exempting the homestead and fifty acres round it, house, crops, and tools, from seizure for any debt whatever, whether due to the individual or the State, and Mr. Lincoln simply extends a principle already admitted from real to personal estate. The object of the extension is of course twofold,—to increase the value of the national securities by investing them with privileges attached hitherto only to property under settlement, and so to tempt the small freeholders, the ultimate governing class, into purchasing them, that repudiation shall be impossible. If they, those quiet, thrifty, dour farmers can once be brought to see that Federal bonds are better security for dollars than the family chest, the dread of repudiation ends, for the farmers before they will suffer themselves to be cheated will skin the rich alive. It is a shrewd proposal, and, subject to the provisos which now limit settlement, will probably work well, make the Federal bonds what Consols are in England,—the single investment for widows, minors, and all manner of trusts.

For the rest, the president with his usual singleness of purpose confines himself to a consistent "pegging away." He will not, he says, suggest new terms of peace. Mr. Davis would not accept them, and for others than Mr. Davis he "means simply to say that the

war will cease on the part of the government whenever it shall cease on the part of those who began it," being precisely the terms every monarchy in Europe always offers to rebels. He will amnesty everybody, even those specially exempted from amnesty, he will take away no State security, he imposes no restriction on the political powers of those who submit, but submit they shall, visibly, and first of all. Nor will he alter the confiscation law, except by individual pardons. Nor will he withdraw or modify the emancipation proclamation. He will simply war on until they who began the war have given it up, holding as sternly as any Roman patrician that the only policy for the Union is "*parcere subjectis sed debellare superbos*,"—to spare the submissive, but war out the proud. He believes that he has the means. For men there are, he declares, more than ever there were, the lists showing nearly a quarter of a million more voters in 1864 than in 1860, and for means, "the resources of the Union are unexhausted, and believed to be inexhaustible." True the public debt was on the 1st July last £348,000,000, may on 1st July next be £448,000,000, exclusive, we fear, of currency,—but then the revenue has risen from £12,000,000 a year to £52,000,000, the difference at five per cent. twice covering the debt; immigration goes on rapidly; there are 134,000,000 acres of surveyed land open to settlement; the Atlantic and Pacific Railroad advances; new mines of gold, silver, and cinnabar are incessantly discovered; the "steady expansion of population, improvement, and governmental institutions over the new and unoccupied portions of our country have scarcely been checked, much less impeded or destroyed by our great civil war,"—and, in short, there is in the president's mind no limit to material means. There is a limit nevertheless, man having the power, as the Turks have shown, of outstripping by his waste even the bounty of Nature in her most extravagant moods; but this proud roll-call of resources of which Americans never weary, has none the less a great meaning. Faith is the source of strength, and the wearisome faith in his means which the president exhibits gives him strength to persist to the end. Till the Union is exhausted, till all the wealth of the twenty faithful States—note as characteristic that he gives the list not geographically but alphabetically, having just read them out of a book—and of territories like Nevada and Dacotah, Idahoe and Montana, regions of which we in Europe can scarcely recall the names, has disappeared,—till the gold mines and the silver mines and the mines of cinnabar are all worked out, the president will go on, will in his lumbering but intelligible phrase "present the abandonment of arms to the

national authority on the part of the insurgents as the only indispensable condition to ending the war on the part of Government," will, in fact, offer quarter, but not negotiate. There is something in that steady bovine persistence, that resolve so iron that it cannot even bend to make phrases, which is infinitely impressive to spectators, which in the South must create, more even than defeat in the field, a sense of the hopelessness of the contest. You may face any man however superior in strength, but the bravest will not stand up to the locomotive. The president does not boast, shows no hate, indulges in no cries of triumph over the "steady advance of our armies," threatens no foreign power, makes no prophecies of speedy success, comforts the people with no assurances of a Utopian future, but as if impelled by a force other than his own will slides quietly but irresistibly along the rails. He is in his groove and moving, and those who are in his path must ride with him, or lie flat, or retreat,—must, at all events, recognize that it is they and not he who are to move out of the appointed course. Mr. Hawthorne, who detested Mr. Lincoln for his want of refinement, once doubted audibly whether his detestation was right; for, said he, "I have noticed that the people always in such crises hit on the right man." When the smoke of this struggle ceases to make English eyes smart, they, also, we believe, will recognize that the intuition of the man of genius was truer than his taste.

First Annual Message – December 3, 1861

Fellow-Citizens of the Senate and House of Representatives:

In the midst of unprecedented political troubles we have cause of great gratitude to God for unusual good health and most abundant harvests.

You will not be surprised to learn that in the peculiar exigencies of the times our intercourse with foreign nations has been attended with profound solicitude, chiefly turning upon our own domestic affairs.

A disloyal portion of the American people have during the whole year been engaged in an attempt to divide and destroy the Union. A nation which endures factious domestic division is exposed to disrespect abroad, and one party, if not both, is sure sooner or later to invoke foreign intervention.

Nations thus tempted to interfere are not always able to resist the counsels of seeming expediency and ungenerous ambition, although measures adopted under such influences seldom fail to be unfortunate and injurious to those adopting them.

The disloyal citizens of the United States who have offered the ruin of our country in return for the aid and comfort which they have invoked abroad have received less patronage and encouragement than they probably expected. If it were just to suppose, as the insurgents have seemed to assume, that foreign nations in this case, discarding all moral, social, and treaty obligations, would act solely and selfishly for the most speedy restoration of commerce, including especially the acquisition of cotton, those nations appear as yet not to have seen their way to their object more directly or clearly through the destruction than through the preservation of the Union. If we could dare to believe that foreign nations are actuated by no higher principle than this, I am quite sure a sound argument could be made to show them that they can reach their aim more readily and easily by aiding to crush this rebellion than by giving encouragement to it.

The principal lever relied on by the insurgents for exciting foreign nations to hostility against us, as already intimated, is the embarrassment of commerce. Those nations, however, not improbably saw from the first that it was the Union which made as well our foreign as our domestic commerce. They can scarcely have failed to perceive that the effort for disunion produces the existing difficulty, and that one strong nation promises more durable peace and a more extensive, valuable, and reliable commerce than can the same nation broken into hostile fragments.

It is not my purpose to review our discussions with foreign states, because, whatever might be their wishes or dispositions, the integrity of our country and the stability of our Government mainly depend not upon them, but on the loyalty, virtue, patriotism, and intelligence of the American people. The correspondence itself, with the usual reservations, is herewith submitted.

I venture to hope it will appear that we have practiced prudence and liberality toward foreign powers, averting causes of irritation and with firmness maintaining our own rights and honor.

Since, however, it is apparent that here, as in every other state, foreign dangers necessarily attend domestic difficulties, I recommend that adequate and ample measures be adopted for maintaining the public defenses on every side. While under this general recommendation provision for defending our seacoast line readily occurs to the

mind, I also in the same connection ask the attention of Congress to our great lakes and rivers. It is believed that some fortifications and depots of arms and munitions, with harbor and navigation improvements, all at well-selected points upon these, would be of great importance to the national defense and preservation. I ask attention to the views of the Secretary of War, expressed in his report, upon the same general subject.

I deem it of importance that the loyal regions of east Tennessee and western North Carolina should be connected with Kentucky and other faithful parts of the Union by railroad. I therefore recommend, as a military measure, that Congress provide for the construction of such road as speedily as possible. Kentucky no doubt will cooperate, and through her legislature make the most judicious selection of a line. The northern terminus must connect with some existing railroad, and whether the route shall be from Lexington or Nicholasville to the Cumberland Gap, or from Lebanon to the Tennessee line, in the direction of Knoxville, or on some still different line, can easily be determined. Kentucky and the General Government cooperating, the work can be completed in a very short time, and when done it will be not only of vast present usefulness, but also a valuable permanent improvement, worth its cost in all the future.

Some treaties, designed chiefly for the interests of commerce, and having no grave political importance, have been negotiated, and will be submitted to the Senate for their consideration.

Although we have failed to induce some of the commercial powers to adopt a desirable melioration of the rigor of maritime war, we have removed all obstructions from the way of this humane reform except such as are merely of temporary and accidental occurrence.

I invite your attention to the correspondence between Her Britannic Majesty's minister accredited to this Government and the Secretary of State relative to the detention of the British ship *Perthshire* in June last by the United States steamer *Massachusetts* for a supposed breach of the blockade. As this detention was occasioned by an obvious misapprehension of the facts, and as justice requires that we should commit no belligerent act not rounded in strict right as sanctioned by public law, I recommend that an appropriation be made to satisfy the reasonable demand of the owners of the vessel for her detention.

I repeat the recommendation of my predecessor in his annual message to Congress in December last in regard to the disposition of the surplus which will probably remain after satisfying the claims of American citizens against China, pursuant to the awards of the commissioners under the act of the 3d of March, 1859. If, however, it should not be deemed advisable to carry that recommendation into effect, I would suggest that authority be given for investing the principal, over the proceeds of the surplus referred to, in good securities, with a view to the satisfaction of such other just claims of our citizens against China as are not unlikely to arise hereafter in the course of our extensive trade with that Empire.

By the act of the 5th of August last Congress authorized the President to instruct the commanders of suitable vessels to defend themselves against and to capture pirates. This authority has been exercised in a single instance only. For the more effectual protection of our extensive and valuable commerce in the Eastern seas especially, it seems to me that it would also be advisable to authorize the commanders of sailing vessels to recapture any prizes which pirates may make of United States vessels and their cargoes, and the consular courts now established by law in Eastern countries to adjudicate the cases in the event that this should not be objected to by the local authorities.

If any good reason exists why we should persevere longer in withholding our recognition of the independence and sovereignty of Hayti and Liberia, I am unable to discern it. Unwilling, however, to inaugurate a novel policy in regard to them without the approbation of Congress, I submit for your consideration the expediency of an appropriation for maintaining a charge' d'affaires near each of those new States. It does not admit of doubt that important commercial advantages might be secured by favorable treaties with them.

The operations of the Treasury during the period which has elapsed since your adjournment have been conducted with signal success. The patriotism of the people has placed at the disposal of the Government the large means demanded by the public exigencies. Much of the national loan has been taken by citizens of the industrial classes, whose confidence in their country's faith and zeal for their country's deliverance from present peril have induced them to contribute to the support of the Government the whole of their limited acquisitions. This fact imposes peculiar obligations to economy in disbursement and energy in action.

The revenue from all sources, including loans, for the financial year ending on the 30th of June, 1861, was \$86,835,900.27, and the expenditures for the same period, including payments on account of the public debt, were \$84,578,834.47, leaving a balance in the Treasury on the 1st of July of 52,257,065.80. For the first quarter of the financial year ending on the 30th of September, 1861, the receipts from all sources, including the balance of the 1st of July, were \$102,532,509.27, and the expenses \$98,239,733.09, leaving a balance on the 1st of October, 1861, of \$4,292,776.18.

Estimates for the remaining three quarters of the year and for the financial year 1863, together with his views of ways and means for meeting the demands contemplated by them, will be submitted to Congress by the Secretary of the Treasury. It is gratifying to know that the expenditures made necessary by the rebellion are not beyond the resources of the loyal people, and to believe that the same patriotism which has thus far sustained the Government will continue to sustain it till peace and union shall again bless the land.

I respectfully refer to the report of the Secretary of War for information respecting the numerical strength of the Army and for recommendations having in view an increase of its efficiency and the well-being of the various branches of the service intrusted to his care. It is gratifying to know that the patriotism of the people has proved equal to the occasion, and that the number of troops tendered greatly exceeds the force which Congress authorized me to call into the field.

I refer with pleasure to those portions of his report which make allusion to the creditable degree of discipline already attained by our troops and to the excellent sanitary condition of the entire Army.

The recommendation of the Secretary for an organization of the militia upon a uniform basis is a subject of vital importance to the future safety of the country, and is commended to the serious attention of Congress.

The large addition to the Regular Army, in connection with the defection that has so considerably diminished the number of its officers, gives peculiar importance to his recommendation for increasing the corps of cadets to the greatest capacity of the Military Academy.

By mere omission, I presume, Congress has failed to provide chaplains for hospitals occupied by volunteers. This subject was brought to my notice, and I was induced to draw up the form of a letter, one copy of which, properly addressed, has been delivered to each of the persons, and at the dates respectively named and stated in a schedule, containing also the form of the letter marked A, and herewith transmitted.

These gentlemen, I understand, entered upon the duties designated at the times respectively stated in the schedule, and have labored faithfully therein ever since. I therefore recommend that they be compensated at the same rate as chaplains in the Army. I further suggest that general provision be made for chaplains to serve at hospitals, as well as with regiments.

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Besides blockading our extensive coast, squadrons larger than ever before assembled under our flag have been put afloat and performed deeds which have increased our naval renown.

I would invite special attention to the recommendation of the Secretary for a more perfect organization of the Navy by introducing additional grades in the service.

The present organization is defective and unsatisfactory, and the suggestions submitted by the Department will, it is believed, if adopted, obviate the difficulties alluded to, promote harmony, and increase the efficiency of the Navy.

There are three vacancies on the bench of the Supreme Court--two by the decease of Justices Daniel and McLean and one by the resignation of Justice Campbell. I have so far forbore making nominations to fill these vacancies for reasons which I will now state. Two of the outgoing judges resided within the States now overrun by revolt, so that if successors were appointed in the same localities they could not now serve upon their circuits; and many of the most competent men there probably would not take the personal hazard of accepting to serve, even here, upon the Supreme bench. I have been unwilling to throw all the appointments northward, thus disabling myself from doing justice to the South on the return of peace; although I may remark that to transfer to the North one which has heretofore been in the South would not, with reference to territory and population, be unjust.

During the long and brilliant judicial career of Judge McLean his circuit grew into an empire altogether too large for any one judge to give the courts therein more than a nominal attendance--rising in population from 1,470,018 in 1830 to 6,151,405 in 1860.

Besides this, the country generally has outgrown our present judicial system. If uniformity was at all intended, the system requires that all the States shall be accommodated with circuit courts, attended by Supreme judges, while, in fact, Wisconsin, Minnesota, Iowa, Kansas, Florida, Texas, California, and Oregon have never had any such courts. Nor can this well be remedied without a change in the system, because the adding of judges to the Supreme Court, enough for the accommodation of all parts of the country with circuit courts, would create a court altogether too numerous for a judicial body of any sort. And the evil, if it be one, will increase as new States come into the Union. Circuit courts are useful or they are not useful. If useful, no State should be denied them; if not useful, no State should have them. Let them be provided for all or abolished as to all.

Three modifications occur to me, either of which, I think, would be an improvement upon our present system. Let the Supreme Court be of convenient number in every event; then, first, let the whole country be divided into circuits of convenient size, the Supreme judges to serve in a number of them corresponding to their own number, and independent circuit judges be provided for all the rest; or, secondly, let the Supreme judges be relieved from circuit

duties and circuit judges provided for all the circuits; or, thirdly, dispense with circuit courts altogether, leaving the judicial functions wholly to the district courts and an independent Supreme Court.

I respectfully recommend to the consideration of Congress the present condition of the statute laws, with the hope that Congress will be able to find an easy remedy for many of the inconveniences and evils which constantly embarrass those engaged in the practical administration of them. Since the organization of the Government Congress has enacted some 5,000 acts and joint resolutions, which fill more than 6,000 closely printed pages and are scattered through many volumes. Many of these acts have been drawn in haste and without sufficient caution, so that their provisions are often obscure in themselves or in conflict with each other, or at least so doubtful as to render it very difficult for even the best-informed persons to ascertain precisely what the statute law really is.

It seems to me very important that the statute laws should be made as plain and intelligible as possible, and be reduced to as small a compass as may consist with the fullness and precision of the will of the Legislature and the perspicuity of its language. This well done would, I think, greatly facilitate the labors of those whose duty it is to assist in the administration of the laws, and would be a lasting benefit to the people, by placing before them in a more accessible and intelligible form the laws which so deeply concern their interests and their duties.

I am informed by some whose opinions I respect that all the acts of Congress now in force and of a permanent and general nature might be revised and rewritten so as to be embraced in one volume (or at most two volumes) of ordinary and convenient size; and I respectfully recommend to Congress to consider of the subject, and if my suggestion be approved to devise such plan as to their wisdom shall seem most proper for the attainment of the end proposed.

One of the unavoidable consequences of the present insurrection is the entire suppression in many places of all the ordinary means of administering civil justice by the officers and in the forms of existing law. This is the case, in whole or in part, in all the insurgent States; and as our armies advance upon and take possession of parts of those States the practical evil becomes more apparent. There are no courts nor officers to whom the citizens of other States may apply for the enforcement of their lawful claims against citizens of the insurgent States, and there is a vast amount of debt constituting such claims. Some have estimated it as high as \$200,000,000, due in large part from insurgents in open rebellion to loyal citizens who are even now making great sacrifices in the discharge of their patriotic duty to support the Government.

Under these circumstances I have been urgently solicited to establish by military power courts to administer summary justice in such cases I have thus far declined to do it, not because I had any doubt that the end proposed--the collection of the debts--was just and right in itself, but because I have been unwilling to go beyond the pressure of necessity in the unusual exercise of power. But the powers of Congress, I suppose, are equal to the anomalous occasion, and therefore I refer the whole matter to Congress, with the hope that a plan may be devised for the administration of justice in all such parts of the insurgent States and Territories as may be under the control of this Government, whether by a voluntary return to allegiance and order or by the power of our arms; this, however, not to be a permanent institution, but a temporary substitute, and to cease as soon as the ordinary courts can be reestablished in peace.

It is important that some more convenient means should be provided, if possible, for the adjustment of claims against the Government, especially in view of their increased number by reason of the war. It is as much the duty of Government to render prompt justice against itself in favor of citizens as it is to administer the same between private individuals. The investigation and adjudication of claims in their nature belong to the judicial department.

Besides, it is apparent that the attention of Congress will be more than usually engaged for some time to come with great national questions. It was intended by the organization of the Court of Claims mainly to remove this branch of business from the halls of Congress: but while the court has proved to be an effective and valuable means of investigation, it in great degree fails to effect the object of its creation for want of power to make its judgments final.

Fully aware of the delicacy, not to say the danger, of the subject, I commend to your careful consideration whether this power of making judgments final may not properly be given to the court, reserving the right of appeal on questions of law to the Supreme Court, with such other provisions as experience may have shown to be necessary.

I ask attention to the report of the Postmaster-General, the following being a summary statement of the condition of the Department:

The revenue from all sources during the fiscal year ending June 30, 1861, including the annual permanent appropriation of \$700,000 for the transportation of "free mail matter," was \$9,049,296.40, being about 2 per cent less than the revenue for 1860.

The expenditures were \$13,606,759.11, showing a decrease of more than 8 per cent as compared with those of the previous year and leaving an excess of expenditure over the revenue for the last fiscal year of \$4,557,462.71.

The gross revenue for the year ending June 30, 1863, is estimated at an increase of 4 per cent on that of 1861, making \$8,683,000, to which should be added the earnings of the Department in carrying free matter, viz, \$700,000, making \$9,383,000.

The total expenditures for 1863 are estimated at \$12,528,000, leaving an estimated deficiency of \$3,145,000 to be supplied from the Treasury in addition to the permanent appropriation.

The present insurrection shows, I think, that the extension of this District across the Potomac River at the time of establishing the capital here was eminently wise, and consequently that the relinquishment of that portion of it which lies within the State of Virginia was unwise and dangerous. I submit for your consideration the expediency of regaining that part of the District and the restoration of the original boundaries thereof through negotiations with the State of Virginia.

The report of the Secretary of the Interior, with the accompanying documents, exhibits the condition of the several branches of the public business pertaining to that Department. The depressing influences of the insurrection have been specially felt in the operations of the Patent and General Land Offices. The cash receipts from the sales of public lands during the past year have exceeded the expenses of our land system only about \$200,000. The sales have been entirely suspended in the Southern States, while the interruptions to the business of the country and the diversion of large numbers of men from labor to military service have obstructed settlements in the new States and Territories of the Northwest.

The receipts of the Patent Office have declined in nine months about \$100,000, rendering a large reduction of the force employed necessary to make it self-sustaining.

The demands upon the Pension Office will be largely increased by the insurrection. Numerous applications for pensions, based upon the casualties of the existing war, have already been made. There is reason to believe that many who are now upon the pension rolls and in receipt of the bounty of the Government are in the ranks of the

insurgent army or giving them aid and comfort. The Secretary of the Interior has directed a suspension of the payment of the pensions of such persons upon proof of their disloyalty. I recommend that Congress authorize that officer to cause the names of such persons to be stricken from the pension rolls.

The relations of the Government with the Indian tribes have been greatly disturbed by the insurrection, especially in the southern superintendency and in that of New Mexico. The Indian country south of Kansas is in the possession of insurgents from Texas and Arkansas. The agents of the United States appointed since the 4th of March for this superintendency have been unable to reach their posts, while the most of those who were in office before that time have espoused the insurrectionary cause, and assume to exercise the powers of agents by virtue of commissions from the insurrectionists. It has been stated in the public press that a portion of those Indians have been organized as a military force and are attached to the army of the insurgents. Although the Government has no official information upon this subject, letters have been written to the Commissioner of Indian Affairs by several prominent chiefs giving assurance of their loyalty to the United States and expressing a wish for the presence of Federal troops to protect them. It is believed that upon the repossession of the country by the Federal forces the Indians will readily cease all hostile demonstrations and resume their former relations to the Government.

Agriculture, confessedly the largest interest of the nation, has not a department nor a bureau, but a clerkship only, assigned to it in the Government. While it is fortunate that this great interest is so independent in its nature as to not have demanded and extorted more from the Government, I respectfully ask Congress to consider whether something more can not be given voluntarily with general advantage.

Annual reports exhibiting the condition of our agriculture, commerce, and manufactures would present a fund of information of great practical value to the country. While I make no suggestion as to details, I venture the opinion that an agricultural and statistical bureau might profitably be organized.

The execution of the laws for the suppression of the African slave trade has been confided to the Department of the Interior. It is a subject of gratulation that the efforts which have been made for the suppression of this inhuman traffic have been recently attended with unusual success. Five vessels being fitted out for the slave trade have been seized and condemned. Two mates of vessels engaged in the trade and one person in equipping a vessel as a slaver have been convicted and subjected to the penalty of fine and imprisonment, and one captain, taken with a cargo of Africans on board his vessel, has been convicted of the highest grade of offense under our laws, the punishment of which is death.

The Territories of Colorado, Dakota, and Nevada, created by the last Congress, have been organized, and civil administration has been inaugurated therein under auspices especially gratifying when it is considered that the leaven of treason was found existing in some of these new countries when the Federal officers arrived there.

The abundant natural resources of these Territories, with the security and protection afforded by organized government, will doubtless invite to them a large immigration when peace shall restore the business of the country to its accustomed channels. I submit the resolutions of the legislature of Colorado, which evidence the patriotic spirit of the people of the Territory. So far the authority of the United States has been upheld in all the Territories, as it is hoped it will be in the future. I commend their interests and defense to the enlightened and generous care of Congress.

I recommend to the favorable consideration of Congress the interests of the District of Columbia. The insurrection has been the cause of much suffering and sacrifice to its inhabitants, and as they have no representative in Congress that body should not overlook their just claims upon the Government.

At your late session a joint resolution was adopted authorizing the President to take measures for facilitating a proper representation of the industrial interests of the United States at the exhibition of the industry of all nations to be holden at London in the year 1862. I regret to say I have been unable to give personal attention to this subject--a subject at once so interesting in itself and so extensively and intimately connected with the material prosperity of the world. Through the Secretaries of State and of the Interior a plan or system has been devised and partly matured, and which will be laid before you.

Under and by virtue of the act of Congress entitled "An act to confiscate property used for insurrectionary purposes," approved August 6, 1861, the legal claims of certain persons to the labor and service of certain other persons have become forfeited, and numbers of the latter thus liberated are already dependent on the United States and must be provided for in some way. Besides this, it is not impossible that some of the States will pass similar enactments for their own benefit respectively, and by operation of which persons of the same class will be thrown upon them for disposal. In such case I recommend that Congress provide for accepting such persons from such States, according to some mode of valuation, in lieu, pro tanto, of direct taxes, or upon some other plan to be agreed on with such States respectively; that such persons, on such acceptance by the General Government, be at once deemed free, and that in any event steps be taken for colonizing both classes (or the one first mentioned if the other shall not be brought into existence) at some place or places in a climate congenial to them. It might be well to consider, too, whether the free colored people already in the United States could not, so far as individuals may desire, be included in such colonization.

To carry out the plan of colonization may involve the acquiring of territory, and also the appropriation of money beyond that to be expended in the territorial acquisition. Having practiced the acquisition of territory for nearly sixty years, the question of constitutional power to do so is no longer an open one with us. The power was questioned at first by Mr. Jefferson, who, however, in the purchase of Louisiana, yielded his scruples on the plea of great expediency. If it be said that the only legitimate object of acquiring territory is to furnish homes for white men, this measure effects that object, for the emigration of colored men leaves additional room for white men remaining or coming here. Mr. Jefferson, however, placed the importance of procuring Louisiana more on political and commercial grounds than on providing room for population.

On this whole proposition, including the appropriation of money with the acquisition of territory, does not the expediency amount to absolute necessity--that without which the Government itself can not be perpetuated ?

The war continues. In considering the policy to be adopted for suppressing the insurrection I have been anxious and careful that the inevitable conflict for this purpose shall not degenerate into a violent and remorseless revolutionary struggle. I have therefore in every case thought it proper to keep the integrity of the Union prominent as the primary object of the contest on our part, leaving all questions which are not of vital military importance to the more deliberate action of the Legislature.

In the exercise of my best discretion I have adhered to the blockade of the ports held by the insurgents, instead of putting in force by proclamation the law of Congress enacted at the late session for closing those ports.

So also, obeying the dictates of prudence, as well as the obligations of law, instead of transcending I have adhered to the act of Congress to confiscate property used for insurrectionary purposes. If a new law upon the same subject shall be proposed, its propriety will be duly considered. The Union must be preserved, and hence all indispensable means must be employed. We should not be in haste to determine that radical and extreme measures, which may reach the loyal as well as the disloyal, are indispensable.

The inaugural address at the beginning of the Administration and the message to Congress at the late special session were both mainly devoted to the domestic controversy out of which the insurrection and consequent war have sprung. Nothing now occurs to add or subtract to or from the principles or general purposes stated and expressed in those documents.

The last ray of hope for preserving the Union peaceably expired at the assault upon Fort Sumter, and a general review of what has occurred since may not be unprofitable. What was painfully uncertain then is much better defined and more distinct now, and the progress of events is plainly in the right direction. The insurgents confidently claimed a strong support from north of Mason and Dixon's line, and the friends of the Union were not free from apprehension on the point. This, however, was soon settled definitely, and on the right side. South of the line noble little Delaware led off right from the first. Maryland was made to seem against the Union. Our soldiers were assaulted, bridges were burned, and railroads torn up within her limits, and we were many days at one time without the ability to bring a single regiment over her soil to the capital. Now her bridges and railroads are repaired and open to the Government; she already gives seven regiments to the cause of the Union, and none to the enemy; and her people, at a regular election, have sustained the Union by a larger majority and a larger aggregate vote than they ever before gave to any candidate or any question. Kentucky, too, for some time in doubt, is now decidedly and, I think, unchangeably ranged on the side of the Union. Missouri is comparatively quiet, and, I believe, can not again be overrun by the insurrectionists. These three States of Maryland, Kentucky, and Missouri, neither of which would promise a single soldier at first, have now an aggregate of not less than 40,000 in the field for the Union, while of their citizens certainly not more than a third of that number, and they of doubtful whereabouts and doubtful existence, are in arms against us. After a somewhat bloody struggle of months, winter closes on the Union people of western Virginia, leaving them masters of their own country.

An insurgent force of about 1,500, for months dominating the narrow peninsular region constituting the counties of Accomac and Northampton, and known as Eastern Shore of Virginia, together with some contiguous parts of Maryland, have laid down their arms, and the people there have renewed their allegiance to and accepted the protection of the old flag. This leaves no armed insurrectionist north of the Potomac or east of the Chesapeake.

Also we have obtained a footing at each of the isolated points on the southern coast of Hatteras, Port Royal, Tybee Island (near Savannah), and Ship Island; and we likewise have some general accounts of popular movements in behalf of the Union in North Carolina and Tennessee.

These things demonstrate that the cause of the Union is advancing steadily and certainly southward.

Since your last adjournment Lieutenant-General Scott has retired from the head of the Army. During his long life the nation has not been unmindful of his merit; yet on calling to mind how faithfully, ably, and brilliantly he has served the country, from a time far back in our history, when few of the now living had been born, and thenceforward continually, I can not but think we are still his debtors. I submit, therefore, for your consideration what further mark of recognition is due to him, and to ourselves as a grateful people.

With the retirement of General Scott came the Executive duty of appointing in his stead a General in Chief of the Army. It is a fortunate circumstance that neither in council nor country was there, so far as I know, any difference of opinion as to the proper person to be selected. The retiring chief repeatedly expressed his judgment in favor of General McClellan for the position, and in this the nation seemed to give a unanimous concurrence. The designation of General McClellan is therefore in considerable degree the selection of the country as well as of the Executive, and hence there is better reason to hope there will be given him the confidence and cordial support thus by fair implication promised, and without which he can not with so full efficiency serve the country.

It has been said that one bad general is better than two good ones, and the saying is true if taken to mean no more than that an army is better directed by a single mind, though inferior, than by two superior ones at variance and cross-purposes with each other.

And the same is true in all joint operations wherein those engaged can have none but a common end in view and can differ only as to the choice of means. In a storm at sea no one on board can wish the ship to sink, and yet not unfrequently all go down together because too many will direct and no single mind can be allowed to control.

It continues to develop that the insurrection is largely, if not exclusively, a war upon the first principle of popular government--the rights of the people. Conclusive evidence of this is found in the most grave and maturely considered public documents, as well as in the general tone of the insurgents. In those documents we find the abridgment of the existing right of suffrage and the denial to the people of all right to participate in the selection of public officers except the legislative boldly advocated, with labored arguments to prove that large control of the people in government is the source of all political evil. Monarchy itself is sometimes hinted at as a possible refuge from the power of the people.

In my present position I could scarcely be justified were I to omit raising a warning voice against this approach of returning despotism.

It is not needed nor fitting here that a general argument should be made in favor of popular institutions, but there is one point, with its connections, not so hackneyed as most others, to which I ask a brief attention. It is the effort to place capital on an equal footing with, if not above, labor in the structure of government. It is assumed that labor is available only in connection with capital; that nobody labors unless somebody else, owning capital, somehow by the use of it induces him to labor. This assumed, it is next considered whether it is best that capital shall hire laborers, and thus induce them to work by their own consent, or buy them and drive them to it without their consent. Having proceeded so far, it is naturally concluded that all laborers are either hired laborers or what we call slaves. And further, it is assumed that whoever is once a hired laborer is fixed in that condition for life.

Now there is no such relation between capital and labor as assumed, nor is there any such thing as a free man being fixed for life in the condition of a hired laborer. Both these assumptions are false, and all inferences from them are groundless.

Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, a relation between labor and capital producing mutual benefits. The error is in assuming that the whole labor of community exists within that relation. A few men own capital, and that few avoid labor themselves, and with their capital hire or buy another few to labor for them. A large majority belong to neither class--neither work for others nor

have others working for them. In most of the Southern States a majority of the whole people of all colors are neither slaves nor masters, while in the Northern a large majority are neither hirers nor hired. Men, with their families--wives, sons, and daughters--work for themselves on their farms, in their houses, and in their shops, taking the whole product to themselves, and asking no favors of capital on the one hand nor of hired laborers or slaves on the other. It is not forgotten that a considerable number of persons mingle their own labor with capital; that is, they labor with their own hands and also buy or hire others to labor for them; but this is only a mixed and not a distinct class. No principle stated is disturbed by the existence of this mixed class.

Again, as has already been said, there is not of necessity any such thing as the free hired laborer being fixed to that condition for life. Many independent men everywhere in these States a few years back in their lives were hired laborers. The prudent, penniless beginner in the world labors for wages awhile, saves a surplus with which to buy tools or land for himself, then labors on his own account another while, and at length hires another new beginner to help him. This is the just and generous and prosperous system which opens the way to all, gives hope to all, and consequent energy and progress and improvement of condition to all. No men living are more worthy to be trusted than those who toil up from poverty; none less inclined to take or touch aught which they have not honestly earned. Let them beware of surrendering a political power which they already possess, and which if surrendered will surely be used to close the door of advancement against such as they and to fix new disabilities and burdens upon them till all of liberty shall be lost.

From the first taking of our national census to the last are seventy years, and we find our population at the end of the period eight times as great as it was at the beginning. The increase of those other things which men deem desirable has been even greater. We thus have at one view what the popular principle, applied to Government through the machinery, of the States and the Union, has produced in a given time, and also what if firmly maintained it promises for the future. There are already among us those who if the Union be preserved will live to see it contain 250,000,000. The struggle of to-day is not altogether for to-day; it is for a vast future also. With a reliance on Providence all the more firm and earnest, let us proceed in the great task which events have devolved upon us.

ABRAHAM LINCOLN

Chicago TRIBUNE Messages to Congress.

THE following are extracts from the message of President Lincoln to the first or extra session of the Thirty-seventh congress, July 4, 1861:

... It might seem at first thought to be of little difference whether the present movement at the south be called "secession" or "rebellion." The movers, however, will understand the difference. At the beginning they knew they could never raise their treason to any respectable magnitude by any name which implies violation of law. They knew their people possessed as much of moral sense, as much of devotion to law and order, and as much pride in and reverence for the history and government of their common country as any other civilized and patriotic people. They knew they could make no advancement directly in the teeth of these strong and noble sentiments. Accordingly they commenced by an insidious debauching of the public mind. They invented an ingenious sophism, which, if conceded, was followed by perfectly logical steps, through all the incidents, to the complete destruction of the union. The sophism itself is: that any state of the union may, consistently with the national constitution, and therefore lawfully and peacefully, withdraw from the union without the consent of the union, or of any other state. The little disguise that the supposed right is to be exercised only for just cause, themselves to be the sole judge of its justice, is too thin to merit any notice.

With rebellion thus sugar coated, they have been drugging the public mind of their section for more than thirty years, and until at length they have brought many good men to a willingness to take up arms against the government the day after some assemblage of men has enacted the farcical pretense of taking their state out of the union, who could have been brought to no such thing the day before.

2-7-1905

What is now combated is the position that secession is consistent with the constitution—is lawful and peaceful. It is not contended that there is any express law for it, and nothing should ever be implied as law which leads to unjust or absurd consequences. The nation purchased with money the country out of which several of these states were formed. Is it just that they shall go off without leave and without refunding? The nation paid large sums (in the aggregate, I believe, nearly a hundred millions) to relieve Florida of the aboriginal tribes. Is it just that she shall now be off without consent or without making any return? The nation is now in debt for money applied to the benefit of these so-called seceding states in common with the rest. Is it just either that creditors shall go unpaid or the remaining states pay the whole? A part of the present national debt was contracted to pay the old debts of Texas. Is it just that she shall leave and pay no part of this herself?

Again, if one state may secede, so may another; and when all shall have seceded none is left to pay the debts. Is this quite just to creditors? Did we notify them of this sage view of ours when we borrowed their money? If we now recognize this doctrine by allowing the seceders to go in peace, it is difficult to see what we can do if others choose to go or to extort terms upon which they will promise to remain.

Our popular government has often been called an experiment. Two points in it our people have already settled—the successful establishing and the successful administering of it. One still remains—its successful maintenance against a formidable internal attempt to overthrow it. It is now for them to demonstrate to the world that those who can fairly carry an election can also suppress a rebellion; that ballots are the rightful and peaceful successors of bullets; and that when ballots have fairly and constitutionally decided there can be no successful appeal back to bullets; that there can be no successful appeal except to ballots themselves at succeeding elections. Such will be a great lesson of peace; teaching men that what they cannot take by an election, neither can they take by a war; teaching all the folly of being the beginners of a war.

Extracts from the message of President Lincoln at the second session of the Thirty-seventh congress, Dec. 3, 1861:

You will not be surprised to learn that in the peculiar exigencies of the times our intercourse with foreign nations has been attended with profound solicitude, chiefly turning upon our own domestic affairs.

A disloyal portion of the American people have, during the whole year been engaged in an attempt to divide and destroy the union. A nation which endures factious domestic division is exposed to disrespect abroad, and one party, if not both, is sure sooner or later to invoke foreign intervention.

Nations thus tempted to interfere are not always able to resist the counsels of seeming expediency and ungenerous ambition, although measures adopted under such influences seldom fail to be unfortunate and injurious to those adopting them.

The disloyal citizens of the United States who have offered the ruin of our country in return for the aid and comfort which they have invoked abroad, have received less patronage and encouragement than they probably expected. If it were just to suppose, as the insurgents have seemed to assume, that foreign nations, in this case, discarding all moral, social, and treaty obligations, would act safely and selfishly for the speedy restoration of commerce, including especially the acquisition of cotton, those nations appear, as yet, not to have seen their way to their object more directly, or clearly, through the destruction than through the preservation of the union. If we would dare to believe that foreign nations are actuated by no higher principle than this, I am quite sure a sound argument could be made to show them that they can reach their aim more readily and easily by aiding to crush this rebellion than by giving encouragement to it.

The principal lever relied on by the insurgents for exciting foreign nations to hostility against us, as already intimated, is the embarrassment of commerce. Those nations, however, not improbably, saw from the first that it was the union which made as well our foreign as our domestic commerce. They can scarcely have failed to perceive that the effort for disunion produces the existing difficulty; and that one strong nation promises more durable peace and a more extensive, valuable, and reliable commerce than can the same nation broken into hostile fragments.

It is not my purpose to review our discussions with foreign states; because whatever might be their wishes or dispositions the integrity of our country and the stability of our government mainly depend not upon them, but upon the loyalty, virtue, patriotism, and intelligence of the American people. The correspondence itself, with the usual reservations, is herewith submitted.

I venture to hope it will appear that we have practiced prudence and liberality towards foreign powers, averting causes of irritation; and with firmness maintaining our own rights and honor.

It continues to develop that the insurrection is largely, if not exclusively, a war upon the first principle of popular government—the rights of the people. Conclusive evidence of this is found in the most grave and maturely considered public documents, as well as in the general tone of the insurgents. In those documents we find the abridgement of the existing right of suffrage, and the denial to the people of all right to participate in the selection of public officers, except the legislative, boldly advocated, with labored arguments to prove that large control of the people in government is the source of all political evil. Monarchy itself is sometimes hinted at as a possible refuge from the power of the people.

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to work by their own consent, or buy them and drive them to it without their consent. Having proceeded so far, it is naturally concluded that all laborers are either hired laborers or what we call slaves. And, further, it is assumed that whoever is once a hired laborer is fixed in that condition for life.

Now, there is no such relation between capital and labor as assumed; nor is there any such thing as a free man being fixed for life in the condition of a hired laborer. Both these assumptions are false and all inferences from them are groundless.

Labor is prior to and independent of capital. Capital is only the fruit of labor and could never have existed if labor had not first existed. Labor is the superior of capital and deserves much the higher consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, a relation between labor and capital producing mutual benefits. The error is in assuming that the whole labor of community exists within that relation. A few men own capital and that few avoid labor themselves and with their capital hire or buy another few to labor for them. A large majority belong to neither class—neither work for others nor have others working for them. In most of the southern states a majority of the whole people of all colors are neither slaves nor masters, while in the northern a large majority are neither hirers nor hired. Men with their families—wives, sons, and daughters—work for themselves on their farms, in their houses, and in their shops, taking their whole product for themselves and asking no favors of capital on the one hand nor of hired laborers or slaves on the other. It is not forgotten that a considerable number of persons mingle their own labor with capital—that is, they labor with their own hands and also buy or hire others to labor for them; but this is only a mixed and not a distinct class. No principle stated is disturbed by the existence of this mixed class.

Again, as has already been said, there is not of necessity any such thing as the free hired laborer being fixed to that condition for life. Many independent men everywhere in these states, a few years back in their lives, were hired laborers. The prudent, penniless beginner in the world labors for wages for awhile, saves a surplus with which to buy tools or land for himself, then labors on his own account another while, and at length hires another new beginner to help him. This is the just, and generous, and prosperous system which opens the way to all, gives hope to all, and consequent energy, and progress, and improvement of condition to all. No men living are more worthy to be trusted than those who toil up from poverty—none less inclined to take or touch aught which they have not honestly earned. Let them beware of surrendering a political power which they already possess and which, if surrendered, will surely be used to close the door of advancement against such as they and to fix new disabilities and burdens upon them till all of liberty shall be lost.

Famous at Railmaking.

"I moved from Indiana to Illinois when Abe did," said Dennis Hanks. "I bought a little improvement near him, six miles from Decatur. Here the famous rails were split that were carried around in the campaign. They were called his rails; but nobody can tell about that. I split some of 'em, and we had a rail frolic, and folks came and helped us split. He was a master hand maulin' rails."

J WRIGHT



